Gertrude Flexner Baldwin

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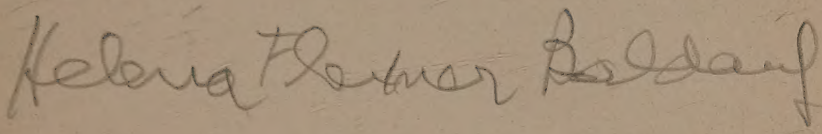
JUVENILE COURTS AND PROBATION



Proposed Building for Juvenile Court, New York City

JUVENILE COURTS AND PROBATION

BY
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AND
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This volume was submitted to the National Probation Association as the report of the special committee on juvenile courts and their administration. While the text has been prepared by Bernard Flexner and Roger N. Baldwin it has the endorsement and is the report of the special committee composed of:

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INTRODUCTION

This volume is devoted to a consideration of the juvenile court and its administration. It is intended as a guide to judges, probation officers, and interested laymen. While the report is concerned with the juvenile court as it exists to-day, it may not be altogether out of place here to indicate the lines along which it is believed the court will develop.

In its treatment of the child it has fully justified itself, though it has almost wholly failed in its treatment of the adult responsible for the child's condition. Heretofore the emphasis has been placed on the child in court; with a wider conception of the law it will in the future be placed on the family in court. In short, the court will undertake to deal more effectively with the family which produces the neglected or delinquent child, who is merely a factor in the larger and more complicated problem.

This change contemplates a legitimate extension of the present court's functions. It will be vested with both equitable and criminal jurisdiction and will deal with all charges against minors, with neglected children, and all cases such as divorce, adoption, etc., in which the custody of children is in question. It will likewise embrace within its jurisdiction all violations of law where children have been wronged, such as child labor laws, and compulsory attendance laws. It follows as a matter of

course that it will have exclusive jurisdiction over all cases of adults who contribute in any way to the conditions of delinquency or neglect in children.

It is conceivable that the widening of the court's powers may hasten the development of two other changes; namely, the separation of the work of probation from the court, leaving it to be administered by a distinct body, and a more careful organization of all private and public preventive agencies for keeping children out of court.

Notwithstanding this possible evolution of the court, most of the material herewith presented will apply to work with children in whatever form it is organized. In order that the book may be effectively used, it is suggested that in every community a committee of interested citizens test the work of their own local court by the standards set forth here.

NEED FOR UNIFORM STANDARDS

The rapid and varying development of the juvenile court suggests the great need for uniformity in its methods of dealing with the children who come before it. Excepting in a few states, no consistent effort has been made to secure uniformity or to standardize the work. In Massachusetts and in New York, state probation commissions have been established to supervise the work throughout the state.

The argument is frequently advanced that varying local conditions make standardization of the work impossible. The same argument might be applied with equal force to the work of charity organization societies. Yet the

standards for good work in these societies have been fixed rather definitely. The difficulty lies in confusing terms. It may be admitted that it is difficult to prescribe a uniform law or uniform procedure that will be universally applicable; the essentials, however, even in these matters, can be secured. *In the actual treatment of the child, substantial adherence to a standard is obtainable.* The principles underlying the investigation of cases, the handling of the matter in court, the detention of children, the general methods of probation, the attitude toward the many social factors involved in order to make for efficient work, need not differ essentially, whether the court be in the East or in the West, whether the court handles many or few cases.

The purpose of this volume is to supply to some extent this want and to give, as fully as possible, what is believed to be the best method of dealing with the whole problem. The suggestions made are not beyond accomplishment in any court. Recommendations which are believed to be generally inapplicable are avoided.

With this in mind, attention is directed to what may be regarded as the essential requirements of a court organized on sound principles:

1. The proceedings must not be criminal, as under the criminal law, but civil, as found in the chancery or equity practice.

2. The court must be presided over by a judge with a sufficiently long tenure of office to become thoroughly familiar with the work.

3. When children are detained, it must not be in a jail, but in an entirely separate place of detention. The

court system at every point must protect and educate the children with whom the court deals.

4. There must be a sufficient number of probation officers, paid out of the public treasury, appointed on merit and because of peculiar qualifications for the work. A limited number of volunteer probation officers may be utilized, assuming as a matter of course that their work is supervised by paid officers and that they are held to a strict accountability for their probationers.

5. The probation office must be conducted in a systematic and business-like manner so as to insure efficient treatment of each individual case.

6. Such records of the work must be kept as will enable the court and the public to estimate fairly the value of the court's work in the community.

DESTITUTE OR DEPENDENT CHILDREN EXCLUDED

In treating of probation, reference is had only to delinquent and neglected children. We are not unmindful of the fact that many of the juvenile court laws embrace dependent or destitute children as well. The jurisdiction of the court in so far as it applies to the dependent or destitute child, unaccompanied by any act of parental omission, is really misplaced. Cases of dependency or destitution involving only questions of relief are not properly questions belonging to the juvenile court, since there are other agencies in the community organized for the purpose of carrying on work of this character.

The one question usually presented to the judge in such cases is whether the family should be separated merely because of poverty. For many years this was re-

garded as a valid reason for judicial interference with the family status. It is a sad commentary that we should still be wrestling with this question in our courts. The presence of the dependent or destitute child in the court, presenting family or home conditions remediable simply by relief measures, is an injustice to the court, and a worse injustice to the child and to the family.

The same objection may be urged against the administration by the juvenile court of so-called widows' or mothers' pensions. The juvenile court is not a proper public agency for giving relief, and no child or family should be required to come under the jurisdiction of a court merely because of the necessity of securing relief.

NEGLECTED CHILDREN

Throughout this volume, emphasis is laid on the delinquent rather than the neglected child. This is done for several reasons: first, because the courts at present deal chiefly with delinquent children; second, because the problem of the delinquent child has received less thorough attention from writers than the problems of family rehabilitation and destitution (which are the chief problems of the neglected home); and, third, because probation methods cannot be applied to nearly as large a proportion of cases of neglected children as of delinquents. Insofar as these methods can be used, the discussion of the treatment of delinquent children in their homes applies in large degree to neglected children. A full treatment of the problem of the neglected child would take us beyond the limits set by this volume, into

the field of adult probation, family desertion, the treatment of drunkenness and the problems of public and private relief of destitution. We have, therefore, suggested only the means for coöperation with other agencies in this extensive field, which, as yet, the juvenile court but slightly occupies.

The authors are indebted to Mr. Julius Rosenwald, of Chicago, for valuable assistance toward the publication of this volume; and to Judge Harvey H. Baker, of the Juvenile Court of Boston, Miss Margaret F. Byington and Miss Mary Richmond, of New York, Miss Sophonisba P. Breckinridge, Miss Edith Abbott, and Miss Mary Flexner, of Chicago, to Mr. Abraham Flexner, of New York, and to the members of the special committee of the National Probation Association elsewhere referred to, all of whom read the manuscript, or substantial parts thereof, and made valued criticisms and suggestions. In the examination of the literature on the subject and in the preparation of the reading list of books and pamphlets, the Louisville Free Public Library, the St. Louis Public Library, and the Library of Congress furnished helpful bibliographies.

Bernard Flexner.
Roger N. Baldwin.

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JUVENILE COURTS AND PROBATION

JUVENILE COURTS AND PROBATION

PART I

THE LAW

ORIGIN OF THE JUVENILE COURT

The modern movement with reference to the juvenile court began with the introduction in the Illinois legislature of a bill creating the juvenile court for the State of Illinois and the establishment of the court in Chicago in July 1899. It is difficult to state with absolute precision to whom is due the credit for having first suggested the thought that later crystallized into the Illinois juvenile court. In various parts of the country prior to the establishment of the Chicago court, public sentiment had been taking shape in favor of some method of handling children's cases other than that which had been in use for many years.

As early as October 1893, J. J. Kelso, of Toronto, Canada, urged the establishment of such courts at a meeting in Chicago of the Waif-Saving Congress, and in the same year legislation looking to the establishment of such a court was passed in the Province of Ontario.

Practically nothing was done, however, under this legislation. Prior to this date, Massachusetts, New York, and certain other states had statutes providing for the separate hearing of children's cases apart from those of adults. An act along the same general line of the Massachusetts act for the separate hearing of juvenile offenders passed the Rhode Island legislature in 1897 and became a law in 1898. Notwithstanding these earlier statutes, however, it may fairly be stated that the first consistent effort looking to the creation of the juvenile court as an institution began in Illinois in 1899.

The history of juvenile probation follows closely the history of the juvenile court. While adult probation had been in use for many years in Massachusetts prior to the establishment of the Chicago juvenile court, juvenile probation was not officially introduced, nor did it begin to develop until after the creation of the first juvenile court, although it was efficiently supplied by a private society in the central district of Boston as early as 1888.

The movement providing for the establishment of courts after the general plan of the Chicago court grew rapidly; Colorado followed soon with the well-known Denver court, and during the intervening years the movement has grown with great rapidity.

In this connection, it is interesting to note that as early as 1890 children's courts had been introduced into South Australia by ministerial order and were subsequently legalized under a state act in 1895. This act provided for a separate court-room in the city of Adelaide.

The Law

CRIMINAL VS. CIVIL INTERPRETATION OF JUVENILE COURT PROCEDURE

In purpose, there is in the main no substantial difference between juvenile courts. There is, however, considerable difference of opinion among judges as to the procedure to be followed in order that the functions of the court may be adequately and advantageously expressed. We find on the one hand a large group of judges and juvenile court workers committed to the proposition that the proceeding involving the child is a civil proceeding in the nature of a case in chancery, where the court is concerned mainly with the *conditions responsible for the appearance of the child in court.* On the other hand, there is a smaller group who adhere more or less strongly to the idea that the proceedings (in which the offense is chiefly considered) should still partake of the nature of criminal proceedings in which the *child is considered a wrongdoer.* The weight of authority, however, is against the latter interpretation. Whenever courts of last resort have been called upon to construe these later juvenile court acts, they have uniformly sustained them.

While the distinction between the criminal and civil or chancery or equity proceedings (these last three terms being generally used interchangeably to indicate the noncriminal proceeding) as applied to the juvenile court is well understood by lawyers, it is not always clear to probation officers and laymen interested in the court. The distinction is fundamental, and the proper attitude toward the child must depend in large measure on an appreciation of this fact.

In trials under the criminal law, the indictment charges the commission of a specific crime. It is set out in highly technical language and with a degree of particularity that is utterly unintelligible to laymen and, as a growing number of lawyers believe, wholly unnecessary. The purpose of the trial is to adduce sufficient evidence to prove the commission of the particular crime with the view of punishing the offender. The criminal law rests upon the proposition that to vindicate society and the law, the accused must be punished. The many social factors which are involved in the anti-social act are excluded from the trial as being irrelevant. In trying children under criminal juvenile court laws, it is true that many of the rigid rules governing the trials of accused adults have been modified so as to permit an inquiry into the social circumstances that may aid the court. The principles, however, underlying these children's courts are essentially the same as the principles underlying the criminal courts generally. The child has offended against the law; he is charged with a specific offense; he is often required, as in the case of adults, to answer upon the calling of the case "guilty" or "not guilty"; he is frequently put upon oath, and, if found guilty, the court imposes what it regards as a punishment.

In the proceedings involving the child under the civil, chancery or equity practice on the other hand, emphasis is laid, not on the act done by the child, but on the social facts and circumstances that are really the inducing causes of the child's appearance in court. The particular offense which was the immediate and proximate cause of the proceedings is considered only as one of the many

other factors surrounding the child. The purpose of the proceeding here is not punishment but correction of conditions, care and protection of the child and prevention of a recurrence through the constructive work of the court. Conservation of the child, as a valuable asset of the community, is the dominant note.

There is nothing essentially new in this idea. It embodies a power long exercised by the English chancellors in cases of children who, for many reasons, were by order of the Chancery Court made wards of the King in England and wards of the State in this country. Under the chancery practice, until the passage of the first juvenile court law, this power was limited to the cases of children whom we designate variously "neglected," "dependent," or "destitute" children.

The juvenile court laws merely extended the doctrine so as to embrace children who offended against the law, there being fundamentally no distinction between the results desired with reference to the various classes of children with whom the court was called upon to deal.

THE NEW IDEA IN THE LAW

The legal questions involved in the problem of the delinquent child, while not complicated, have, nevertheless, given rise to some discussion and to some slight dissent from the stand-point of constitutional law. Insofar as the court deals with neglected children there is essentially nothing new in its method. The new note in the movement is in the attitude of the court toward the delinquent or offending child. Under the old law such a child was considered as a mere law-breaker and offender against

the public peace, to be reached in the only way known to the law of reaching him, namely, through a conviction for a specific offense.

According to this view no distinction is made between the offending child and the adult criminal; they have both violated the law and they must both be punished. But at common law a child under seven could not be held responsible for his criminal acts. From time to time statutes have been passed fixing the arbitrary age limits below which the child is not deemed to be criminally responsible and above which he may be punished as an adult. The juvenile court legislation simply carries this idea forward. It raises the age-limit and says that a child under sixteen or seventeen or eighteen who violates the law shall not be deemed a criminal.

This is the distinctively new thought in the modern juvenile court legislation. As opposed to the principle that children are to be treated and punished as adults for violations of law, it undertakes to apply to the delinquent child the same procedure it would apply to the neglected child. Under this theory, the court becomes a concrete expression of the State's obligation to the child; a recognition that the child is in court as the result of conditions not of his own making, and that he has a valid claim against the State and is to be saved to it, not punished by it.

The weight of authority sustains the above statement of the principle underlying this legislation, the courts holding that the paramount object sought to be accomplished under the legislation is the protection of the child; that the State through the court is merely acting in its

capacity of *parens patriae* for the proper training, education and reformation of the child; that the proceeding is not a criminal proceeding; that the child is not deprived of its liberty without due process of law nor that such laws are unconstitutional, because the child is deprived of a trial by jury. It has been held that the juvenile court acts framed on this theory must not provide for that which is clearly punishment, e.g., a fine or penalty, either of which would make them unconstitutional.

In holding, as the cases do, that the State is the ultimate parent of the child, it is to be borne in mind that the primary right of custody to the child is in its parents, and this primary right of the parent is not to be interfered with until such parent has forfeited its right by reason of some act of commission or omission sufficient under the law to deprive such parent of the custody. It follows as a matter of course that where there is a possibility in every case of disturbing the custody, the parents should be given a full opportunity to be heard in reference to their primary rights.

GENERAL PRINCIPLES INVOLVED

There is general agreement as to the main principles involved in such legislation. The child must be kept separate from the adult criminal. The court must be organized primarily, not with a view of inflicting a punishment, but for the purpose of correcting conditions. The parent must be made to feel more responsible for the wrong-doing of his child. Commitment of children to jail, no matter what the offense, must be avoided.

Taking a child away from its parents is as far as possible to be avoided, and when he is permitted to return home it must be under probation subject to the guidance and friendly interest of a probation officer as the representative of the court.

JURISDICTION OF THE COURT

A proper regard for the foregoing statement of the principles underlying the law demands, as a matter of course, that the judges and every part of the judicial machinery be socialized. The court must be so organized that it can be readily brought into touch with and be given the opportunity of correcting all of the conditions responsible for the appearance of the child in court. To this end the court should be clothed with power to enforce all other laws affecting children, e.g., compulsory education law, child labor law, and laws for the punishment of adults who contribute to the conditions of neglect and delinquency in children.

In some states the juvenile court is given *concurrent* jurisdiction with police, municipal or criminal courts in a certain class of cases affecting children, or over adults who contribute to conditions of neglect or delinquency in children. It may fairly be said that in all of the foregoing class of cases, the jurisdiction of the juvenile court should be *exclusive* unless for compelling reasons it is necessary to divide the jurisdiction with some other tribunal.

In its treatment of the adult who contributes to the child's condition, the juvenile court as a whole has failed signally. It would seem as if this failure is due in large

measure to the fact that the juvenile court judge, in many states, has jurisdiction of the child only and the contributing adult must be sent into another court for trial. We can never hope to solve this problem until we vest in one and the same court — having criminal and equitable jurisdiction — the power to hear the child's case and to punish if need be the adult, be he parent or stranger, who is responsible for the appearance of the child in court.

SUGGESTED LAWS

Desirable as it may be to secure uniformity in juvenile court laws, it must be conceded that it is practically impossible to draw a uniform law that will fit into the constitutional provisions and statutory enactments of all the states. The essential principles, however, are easily embodied in a general law, and with a view of suggesting these essential principles, the draft of a juvenile court law and a law providing for the punishment of adults who contribute to delinquency and neglect are printed in the appendix. Before adopting these laws, local attorneys should be advised with, so as to avoid any conflict with the constitution or statutes that may be in force. It is practically impossible to embody in the law itself certain highly necessary rules for the administration of the court. A draft of such a proposed set of rules is likewise included in the appendix.

PART II

ORGANIZATION AND PROCEDURE

NEED OF A CONSISTENT SYSTEM

THE juvenile court, being an explicit acknowledgment of the State to throw around the child its aid and protection and to direct it into the path that leads to good citizenship, requires something entirely different in the demeanor of the judge and the court itself from that under the old law. From the moment the law lays its hands upon the child, he must feel that the whole object of the proceeding in which he is involved is for the purpose of protecting and not of punishing, of helping and not stigmatizing him. The whole process, therefore, should be consistent. *It is practically useless to make the basis of the system educational from the time the child is placed on probation and at the same time adhere to the old methods of arrest, detention and trial.*

SECTION 1. THE JUDGE

ROTATION OF JUDGES

The jurisdiction of the juvenile court is not infrequently placed in a court made up of a number of judges who rotate from one division of the court to another. This practice of having judges rotate in a juvenile court is inherently wrong. The possibility of cultivating a

Room Arranged for the Private Hearing of Girls' Cases by a Special Woman Referee

more or less personal relation with the child cannot be worked out in a court with rotating judges. The probation office needs the background of intelligent coöperation on the part of the judge not only in the cases in the mass but in individual cases, and this can only be gotten where the judge sits for a sufficient time to enable him to know the children brought before him.

If the organization of the court, therefore, is such as to make it necessary that the judges rotate, *the assignments of the judges to the juvenile court should under no circumstances be for less than the judicial year, and preferably for a longer period.* The practice indulged in in certain jurisdictions of assigning a different judge to the juvenile court for short periods varying from one to three or four months is altogether vicious. It is impossible for these judges to gain the necessary experience in such a short time or devote the time necessary to the study of new problems.

The most significant contribution to juvenile court procedure since its original conception is the appointment in a few cities of a woman assistant to hear and pass upon all girls' cases. In the several cities in which this has been done (Chicago, St. Louis and Denver) no new legislation has been necessary. The judge of the court has appointed in each case a woman probation officer to the position of assistant as referee for girls. The cases coming before the girls' referee are investigated and prepared by the probation officers in the regular way. Girls' cases are handled, of course, by women only. The court is held informally in a small room fitted up like an office. The referee secures the facts, arrives at her decision,

which is transmitted to the judge of the court and entered by him as a judgment of the court. In Chicago girls are given the option of appearing before the regular juvenile court judge, or the woman assistant. Up to January 1914, after nine months of operation, not one girl had elected to appear before the regular juvenile judge.

The ease with which this plan was inaugurated indicates not only that it will be favorably received throughout the country, but also that it will accomplish several important things:

1. It offers a solution of the problem of handling the girl in court. It places her in the most advantageous position possible — one that protects her and encourages franker discussion than when she is called upon to tell her story to a man.

2. It sifts the work for the judge and relieves him of the most baffling part of his work, thus giving him more time for the problem of the boy.

A better system than the arrangement already adopted would be to have the appointment of a woman especially authorized, to give her whole time to the work and to be paid as a referee for girls' cases, even though she be selected from the probation force. She should, however, have no probation work to do, other than follow up the treatment of the girls placed upon probation. The element of paramount importance is the woman who presides. As far as possible men should be excluded from the room. All persons who are connected with the case of a girl from the time of her arrest, throughout the treatment given her by the court, should be women. In

such cases as these and with such an arrangement, a private hearing in chambers is thoroughly justified.

GEOGRAPHICAL JURISDICTION

The jurisdiction is most frequently placed in a court whose jurisdiction is co-extensive with the county. Wherever it is possible this should be done so as to secure uniformity of treatment for all children in the community. The argument in favor of placing the jurisdiction in a municipal court with a number of branches, presided over by different judges, is open to the serious objection of introducing utterly different methods of handling the cases and of having the work done in many cases by judges who have neither the qualification for nor any real interest in the work.

A difficult problem is presented in counties where the county seat is far removed from other parts of the county. No entirely satisfactory way out of this difficulty has been found. The best solution would seem to be offered by the Colorado law providing for the appointment of masters of discipline, who are empowered to hear the case in the first instance with the right to have the whole matter reviewed by the judge.

QUALIFICATIONS OF THE JUDGE

The personality of the judge is, as a matter of course, all-important because of the great responsibility that rests upon him. It is desirable that he be a trained lawyer, thoroughly acquainted with the principles underlying the legislation. He should, however, be more than a lawyer. He should be a student of and deeply interested in the

problems of philanthropy and child-life and a lover of children. He should be able to understand the child's point of view and its ideas of justice; should be willing and patient enough to search out the underlying causes of the trouble and to formulate the plan by which, through the coöperation of other agencies, the cure may be effected. *Obviously, therefore, there is here presented a formidable argument against the assignment to this court of judges who may be well suited to other judicial duties but totally unsuited to work in the juvenile court.*

SPECIAL VS. PART-TIME JUDGES

It is difficult to lay down any general rule as to whether or not the conditions in a given community call for a judge giving his entire time to the juvenile court. It may fairly be stated, however, that if the number of cases are such as to make it desirable to hold daily sessions of the court, a special judge should be provided for the work. It may likewise be stated that it is a mistake to place the jurisdiction in a court where the judicial duties of the presiding judge make it impossible for him to give more than one day a week to the juvenile court, a condition too frequently met with. The calendars of courts of this character often run from thirty to fifty cases weekly and the judge with every desire not to do so is forced to give merely perfunctory attention to much of the work. Where the jurisdiction is placed in an existing court, a court should be selected, if possible, where the judge can give two or three days a week to the juvenile court. *It is not only desirable that the judge should have ample time for a*

proper consideration of the cases, but that he should have time to enable him to keep in touch with the administrative side of the court and with the work of the probation officers.

ADVISORY BOARDS

A great many of the laws provide for the appointment of an Advisory Board for the purpose of assisting the judge on the administrative side of the work. The work of these boards has not been uniformly good. Notwithstanding the fact that some of the boards appointed in this way have failed to accomplish anything worth while, the provision in the laws for their appointment has merit and should be preserved. A few serious men and women genuinely interested in the work can do a great deal in stimulating public interest in the court.

Section 2. Methods of Bringing Children Before the Court

DELINQUENT CHILDREN

The delinquent child is taken into custody either by a police officer or other peace officer or probation or truant officer, who under the law is clothed with the power of the sheriff or peace officer. *The patrol wagon should never be used for taking children into custody.* When transportation is necessary the street car should be used. Arrest and detention is necessary only in cases of runaways, children so far beyond parents' control that they are unable to bring them to court, and exceptionally serious offenses.

Ample provision should be made so that any child may be released expeditiously upon a bond or his own recognizance. The juvenile court law usually provides that the probation officer or one of his assistants may release the child taken into custody upon bond with surety, or upon a recognizance. This power may likewise be lodged in a clerk or in the superintendent or custodian of the detention home. *Needless detention of children being the thing to guard against, the power of release upon a simple written promise to appear might with safety be lodged in a police captain of a district or a police officer as well as the probation officers.* It follows that promises thus taken, or releases granted, should be promptly reported to the proper office.

Whenever any process is necessary to bring either the child or its parents into court, a summons should be used, unless for urgent reasons it is necessary to resort to a warrant of arrest. *The processes of the criminal court carrying with them certain odium and not tending to help in the education of the child are to be avoided except where the other processes fail.*

NEGLECTED CHILDREN

It follows from the foregoing, as a matter of course, that a warrant should never be used for the purpose of bringing neglected children into court, but where any process is necessary, a summons should be used. In some cases where neglected children are in acute need — for instance where children are exposed to open immorality — it may be necessary to take charge of them at once, before any proceedings are instituted on which

The Juvenile Court and Detention Home in a Smaller City

This adapted dwelling illustrates how all of the essentials can be gotten in an old residence.

a summons can be served. The law usually permits all police and peace officers to take children into custody when found in such a situation, and to file petitions afterwards. In certain other cases, after the filing of a petition, conditions may warrant the immediate detention of a neglected child, and the judge may by a general order covering all such cases, or by a special order in each case, direct probation officers to take charge of such children pending hearing.

METHODS OF DETENTION

No child should be detained at all, unless detention is essential to securing his presence in court. Even when detention is necessary, a child under the juvenile court age should not be placed in a police station or in a jail. In some jurisdictions, however, it is optional with the arresting officer whether children over fourteen shall be placed in the regular jail or in a place of detention for children. A separate place of detention for children of juvenile court age should be provided, and adequate provision made for the detention of all children whom it may be necessary to detain. Police stations and jails should not be used for children under sixteen years of age under any circumstances.

A proper place of detention for children should be provided either by the municipality or the county. In order to meet the necessary requirements, this place of detention must be more than simply a building or a room where the child is separated from the adult. *It must be a place that approximates a home or a school.* Care must be had, however, to guard against the possibility of

alienating the child from its own home. *It must not be a place to which the child, except under most unusual conditions, will want to return of its own volition.*

The home as a matter of course must be separate and apart from the jail, but in order to reduce the cost of administration expenses may be shared with other municipal offices. Entirely separate quarters in a jail or police station, but not connected in any way with parts of the building used by adult prisoners, may be made to satisfy the requirements for complete separation. One court utilizes in an apparently satisfactory way the third floor of the police headquarters, receiving light and heat from the plant below. There is no connection whatever between the two. This arrangement is not to be confused with an arrangement whereby the detention home receiving its food from the jail is, as a matter of fact, part of the jail and its general administration.

It is a mistake to suppose that the problem of the detention home can only be worked out upon such an elaborate basis as has been tried in some of the larger communities. It varies indeed widely in different cities. We have every variation between no detention house at all in Boston to elaborate detention quarters in Chicago. The problem must be solved in each community according to local conditions. In Boston the juvenile court utilizes private families sought out and supervised by the Children's Aid Society for many boys (of all ages) and most girls who must be held elsewhere than in their homes. They have the best of family care — only one at a time in a family. Some of the boys under fourteen are placed in the detention home of the State Board of

Charity ten miles away, and a very few girls who are witnesses in serious cases are kept in the rooms of the "Cruelty Society." No boys under fourteen are kept in jail or cells of any kind, but a good many boys fifteen years of age or over (the majority of them being sixteen) are committed to jail where, however, they are not allowed to mingle in any way with older prisoners. Only about 150 children a year are detained in any way.

In St. Louis it was found that the number of children sent to the House of Detention before hearing was so small — an average of three a day — that the per capita cost was running as high as $5.00 or $6.00 per child per day. In other words, a child could have been boarded at the most expensive hotel in the city with a real saving to the community. In another city the per capita was running between $10.00 and $15.00 a day and the situation became so ridiculous that the Detention House was given up and the children who had to be detained were held in private institutions. In all except the largest cities, the need can be met by a comparatively small place of detention, either by reconstructing an old dwelling, or arranging separate quarters in a police station, as in Cleveland, or in some other municipal building.

It is very seldom really necessary to keep children in the House of Detention after hearing, and only under exceptional circumstances should it be done. If a child needs institutional treatment, he should be in an institution especially equipped, and for a longer period of time than he can be housed in a small building without outdoor exercise and play. *The Detention House should be used so far as possible only for children awaiting hearing.*

Even then the number should be reduced to the lowest possible minimum by a system of release on promise to appear in court.

In rural communities the need of easy releases is particularly emphasized by the impossibility of maintaining any sort of a separate Detention Home. The best arrangement that can be made for detention use is the sheriff's house, or the home of some other officer.

Whatever the arrangement made for the detention of children, there are a few general matters which should receive attention. Those in charge of detention homes usually remove from children articles with which they might do damage during their confinement. Such articles should be carefully preserved and returned to the child after the court hearing, unless otherwise ordered by the judge. In many courts, the sheriff, who has charge of all such property, either fails to return the articles to the children, or destroys what he, or his deputies, regards as " junk."

Children in detention should not be cut off from visits by relatives. Many houses of detention apply the same " no visitors " rule that the jails apply, although the same reason for not permitting relatives to visit does not exist. At reasonable hours and under proper restrictions, children should be allowed to see their immediate relatives, unless forbidden on order of the judge or the chief probation officer.

Whatever the arrangements made for detaining children, the ideal situation is the complete isolation of each child before hearing. If children are thrown together

An Old Residence in a City of 250,000 Used as a Detention Home

they will naturally talk about the reasons for their detention, and the stories of their misfortunes and misdeeds can be only harmful. That is not a policy of "protection and education." If a House of Detention is to be constructed or reconstructed, therefore, it should provide for individual sleeping rooms for children and a day-room when they will be together only under supervision and direction.

The officers in charge of the Detention Home ought to be appointed in the same manner in which the probation officers are appointed. In some jurisdictions the probation officer is also superintendent of the Detention Home and resides there. This is only possible, or desirable, where the docket of the court is small.

Section 3. Investigations

Classification of investigations

The cases investigated in a juvenile court fall readily under three heads: (1) delinquent children; (2) neglected and destitute children; (3) those special investigations involving examinations of homes and neighborhoods for the purpose of release or parole from institutions, a change of custody, etc.

Most delinquent children come into court through one of three sources: (1) the Police Department; (2) the Attendance (or truant) Officers of the public schools; (3) on complaint filed with the probation officer or clerk of the court.

Some cases come also on information issued by the prosecuting officers where the criminal procedure still prevails.

The cases of neglected children are brought to court by the same agencies as the delinquent. A larger number of cases come through complaints made direct to the officers of the court by humane societies, charities, settlements and neighbors.

The special investigations mentioned above are those which have to do with the routine work of the court after a case has once been thoroughly investigated. They are in the nature of what might be called "supplementary investigations." An investigation of this type is one in which, for instance, a child has been sent to an institution because of unfortunate conditions at home. After some months in the institution, it is necessary to see whether conditions in the home are improving. Inquiries have to be made of neighbors, or relatives and friends. A personal investigation has to be made of the home. The institution must be consulted about the child. This supplementary examination, added to the background of original investigation, is necessary to determine what action the court shall take. Investigations of this type are, of course, frequent in juvenile courts, and differ in character from the original or "preliminary investigations."

ORGANIZING THE WORK OF INVESTIGATIONS

In order to decide wisely, a judge must have in his possession the essential facts regarding the life of the child and be assured that these facts come from reliable sources known to the court. *Wherever paid probation officers are employed, the investigations should be made by these officers.* If first made by some other agent,

they should be checked up and verified by the probation officers in every case.

In the cases brought in by the police, the information given by them usually covers fully the circumstances of the charge, together with a few facts about the child, such as his age, address, and name and address of parents. Where the child is held in detention, it is a simple matter for the probation officers to follow up the police information by inquiries of the child. Where the police have released the child on a bond or recognizance, the work of getting the elementary facts is more difficult, and the information given by the police becomes an essential guide in the character of investigation to be made.

It must be borne in mind, however, that the information which the police give is often biased by the desire of the police officer to "make a case." The welfare of the child is usually a consideration secondary to the protection of the prosecuting witness and the "efficiency" of the department in securing convictions. While this is not always true, still this very common attitude on the part of the police must be taken into account in using the information they furnish. This attitude on the part of the police is emphasized in those states where the fee system still prevails and the arresting officer is paid a fee in all cases of conviction.

The information which the probation officer receives about a child before making his own investigation is usually fragmentary, even where the arresting officer is well-informed. *It should be the policy of juvenile courts to insist that all complainants — the police and truant officers especially — should give to the probation officer every*

fact in their possession about a child, written on forms provided for that purpose, and presented as soon as possible after the child has been taken into custody, or the complaint lodged. When private citizens or parents are the complainants, and unfamiliar with the routine of the court, the probation officers necessarily put in writing the information given verbally to them.

In one court the police department and attendance officers file at the same time with the legal complaint a full written statement giving all the facts known about the child complained of. The police statements consist of typewritten letters, signed by the captain or lieutenant of the district in which the child is arrested or complained of. The attendance officers file their information on forms prepared and provided by the probation office. This system is to be strongly commended, because it makes immediately available for use of the probation officers and the court, every fact known by the officer who has taken the child into custody. Written on regular forms or as letters they form a permanent record of important information in every case.

Many cases before the juvenile court do not require a thorough investigation — particularly those in which the complaint is of a very trivial character, violations of such ordinances as those forbidding ball-playing on the streets, or building fires on vacant lots. But in all such cases the investigating officer should determine by inquiry of the child and of the parent (and in cases of school children, of the school) whether the child's home surroundings and habits are satisfactory. *The mere fact that a child has been brought before the court does not justify*

a lengthy investigation, especially if the act complained of be trivial and conditions good.

In a city where there is a central bureau of registration of the cases and families dealt with by the social agencies, immediate reference should be made to it in every case. There should be such a "charities registration bureau" or "confidential exchange" of information in every city, and where there is none, the juvenile court officers should secure its establishment. The Bureau, if used by all the public and private agencies working with individual families, furnishes at once to any agency inquiring, a record of all the other agencies which have had anything to do with members of that family. Usually no information is given except the *names of the agencies,* leaving the inquiring agency to follow up by direct inquiry of them. Not only does this registration of cases give the court access to information known by other agencies, and thus makes a full and complete investigation, but the information often serves at once as a basis for treatment which could otherwise have been determined only by long acquaintance with a child or his family. The experience of the court can also thus be made available for other agencies, particularly in cases of neglect, where a full knowledge of the family is necessary to the proper treatment of any member of it.

THE ESSENTIALS OF GOOD INVESTIGATION

There are two essential groups of facts to be covered in a good juvenile court investigation; first, the circumstances leading directly to the cause of complaint, relating to the charge in the case of a delinquent child and

to the acts or failures of parents in the case of a neglected child; and, second, the social factors of the child's life and his entire past history.

The first group of facts is secured from the arresting officer, complainant and the witnesses. The child is often interviewed also to secure his or her statement of the circumstances leading up to the complaint.

It is often argued, however, that the child should not be questioned before a hearing, because of the constitutional guarantees protecting defendants. If questioned, it is argued, children should be told that "anything they say may be used against them." This view is entirely out of harmony with the theory of juvenile court procedure, which does not regard a child as a defendant in a criminal action, but as a child for whom the court may be called upon to act in the rôle of parent. Therefore, any information which will assist in laying the whole case truthfully before the court should be secured. For the effect on the child itself, it is always helpful to get from him or her a statement of the reasons for being brought to court. It is the direct and natural method of approach.

In getting the second group of facts — the social history — inquiry should be made of the child in every case. The investigator should take particular pains to make this inquiry as informal as possible. There should not be a show of asking set questions and writing down answers. The child should be interviewed outside the hearing of any other person. He should be put at ease, and the questions asked in a pleasant, easy conversational manner, the investigator (though not too apparently) making his notes on the blanks provided. It is much better if

the investigator trains himself to recording the facts from memory after the interview is concluded, writing down nothing at all in the presence of the child. Often in the press of business, these inquiries of the child become merely mechanical formalities. The investigator in a search for facts forgets the human side of his service. The influence on a child's mind of this first inquiry is likely to be very great, and attention must be given constantly to the educative power of sympathy and friendliness.

The following schedule indicates the information which should be secured about any delinquent child. In the case of neglected children, the family is, of course, the chief consideration, and the questions relating to the so-called "individual record" of the child may ordinarily be omitted. In securing information about any child, neglected or delinquent, it must be remembered that the family, not the child, is usually the unit with which the court is dealing.

SCHEDULE OF INFORMATION

Race, country of birth of the child, and of the father and mother.

Names of each member of the immediate family, with their addresses, age, occupation, wages, religion, record of insanity or feeble-mindedness in the family; and court or charity records, if any.

Description of the home and neighborhood, showing the type of dwelling, the floor, number of rooms, rent per month, number of persons in the household, including lodgers or boarders.

Sanitary and moral condition in both home and neighbor-

hood. To this should be added previous addresses and length of residence in each neighborhood.

In the case of delinquent children, there should follow a study of the record of the child in other connections, namely: his school, employment, church, playground, or club connections; his habits, interests and abilities, and physical and mental condition.

In the school record should be given the name of each school attended, with the dates of attendance, record of conduct and scholarship.

Under employment, all employers' names and addresses, the date of employment, the kind of work and the weekly wage.

His connection with other institutions like church, clubs or playgrounds should be given, the name of each, with the teacher or leader, and any remarks about his character and habits as revealed to these teachers or leaders.

The record of his habits, associates and interests should show what friends he has, what are his amusements, where he spends his evenings, school vacations, Sundays; what are his special interests and habits (including the use of tobacco or liquor).

Physical and mental condition should show, first, any family record of epilepsy, feeble-mindedness, insanity or alcoholism, then the general health of the child, any physical defects, diseases from which he has suffered or is suffering, and the mental condition, with a statement of such traits as would be indicated in the words: secretive, social, selfish, irritable, self-controlled, lazy, vain, conscientious, easily-influenced.

Of course, there should be added any previous record of the child or family in the hands of any society or public agency. Sources of information should be shown in detail.

SOURCES OF INFORMATION

The investigator should always be encouraged, of course, to press beyond the essential facts for fuller details. In difficult cases the field is almost limitless.

The sources of information of the above facts should include at least: *first, the interview with the child, second, an interview with the child's immediate relatives, and, third, an examination of the home itself. In many cases, it is helpful to talk with present or former neighbors, and especially the family physician. In all cases, except those of very little children, the school record should be secured direct from the school.* In cases where there is disagreement in the family, relatives on both the father's and mother's side should be interviewed. Where the family has moved within recent years, former neighbors may shed light on involved situations. Whenever there is any serious conflict in testimony, every possible source which may check up the statements made, should be consulted. In some cases two or three sources of information are sufficient — in others, thirty are not enough.

A word of warning about investigations among neighbors is necessary. All investigators at one time or another experience the unpleasant results of a too free inquiry about a family among their neighbors — the gossip, sometimes hostility and infrequently the ostracism which come with the reputation of a family's being in trouble at court. When neighbors must be questioned, the probation officer may often protect the family position by not revealing his or her identity.

SCHOOL INVESTIGATION

The character of the school investigation depends on the nature of the case. In those cases where the school record is shown to be satisfactory on a statement of child and parents, a telephone verification answers all requirements. In cases where the school record is a leading index to the child's character and habits, it may well be the most important portion of the investigation — involving visits to several schools and talks with many teachers. Much depends on the way in which the school investigation is made. *A probation officer should never inquire about a child in the presence of other children.* Information can be secured quietly by questioning the teacher outside of the school room. It is well to consult not only the teacher who has the child at the time of the court hearing, but also others who had him previously. Some teachers are not helpful in their relation to children in whom the court is interested, because of lack of sympathy with "odd" children, or impatience with disobedience. Principals or probation officers can do much often to educate such teachers to a more sympathetic viewpoint.

SUMMARY

An investigation, to be entitled to its name, should include, first, an interview with the child, and, second, a visit to his home, including an interview with his immediate relatives. This is certainly the minimum standard. To it should ordinarily be added the investigation of the school record; of the employment record in the

cases of older boys or girls, and of church or neighborhood associations. Such investigations, involving as they do a number of sources, are most conveniently made by filling out and supplementing the blank forms in pencil, in order that corrections and erasures can be easily made. The corrected investigation is then typewritten (or written in ink) by the clerk or stenographer.

USE OF DETENTION IN INVESTIGATIONS

In some cases it is difficult to get all the necessary facts through an interview with the child, and investigations at home, school and elsewhere. There are children with peculiar personal characteristics, which are difficult of determination, and which may have a direct relation to their delinquency. In such cases, it is often desirable to keep the child in detention a number of days for observation. Where houses of detention are so arranged that they can care for children conveniently for a number of days under the eye of an expert teacher or director, they can perform a great service in these occasional baffling cases.

MEDICAL AND PHYSICAL EXAMINATIONS

Many court investigations include a medical and physical examination. These examinations usually cover general physical conditions, nourishment, disease, defects of the body and especially of the eye, nose, throat, ear or teeth, and in the case of older girls, the presence or lack of venereal diseases. These examinations have as their chief purpose to discover and to correct in the individual child physical defects. In certain cases they may also

furnish scientific data in the study of degeneracy and delinquency. Wherever children are reached by thorough medical examinations in the schools, the school records can well be used. In many cases, however, it is at once apparent to the probation officer, investigator or the judge, that a case has either escaped the attention of the school authorities, or the points desired by the court have not been covered by the school examination. Few school medical examinations are as yet thorough enough to furnish all the information desired for court use in exceptional cases.

In the case of girls about whose morality there is a question, the examination for the presence of venereal disease is usually advisable, a thorough examination being made, of course, in every case by a woman physician.

A probation officer should be trained to detect the commoner types of physical defects, and to recognize when a child is in need of further examination by a physician or specialist. In very large cities, where the court deals with a great many children, arrangements are usually made to use a special clinic equipped for all superficial tests with a physician in attendance at regular hours each day. This method can be followed only in large cities. Other provision must be made in smaller communities.

Any one of the following plans can be followed: first, to have a physician call regularly at the court or detention home daily; second, to refer the children to private dispensaries or clinics; third, to send them to the offices of physicians who volunteer to do this work for the court. In very small communities, or rural districts, the latter method, of course, is the most practicable.

A probation officer can soon be trained to know whether a child is well nourished or poorly nourished, whether it is suffering from any acute or infectious disease, or whether there is any well-defined throat or nose trouble. Defects of sight or hearing could probably be brought to light by the school inquiry.

But it must be emphasized that only careful training equips a probation officer to make use of specialists at the right time and on the right children. Case after case could be cited where children have been retained on probation with little or no improvement when recourse to a specialist would have advised a definite and unmistakable course of action.

THE PSYCHOPATHIC CLINIC

The so-called " psychopathic clinic " has aroused much interest in the last few years, especially in its relation to the more difficult cases of children with whom the juvenile courts in large cities deal.

The name " psychopathic clinic " is perhaps misleading or confusing. What it really means is a clinic in which the *exceptional* child is thoroughly studied from several view-points — physical, mental, environmental. In the clinic an exhaustive study is made of the peculiar or baffling cases. It is not a place for comparatively normal children.

While all factors entering into a child's life are considered in these examinations, the study is mainly devoted to the child's mental activities and emotional states. It aims to discover the factors which determine his character and guide his actions. Much delinquency arises

from emotional states of mind which have at the base early experiences in life. These causes must be discovered in order to effect a cure. Problematic individuals of this kind are much more frequently met with in juvenile courts than has been supposed; many of them have to be carefully observed over a long period of time, if they are to be brought back to healthful activity of mind.

Such studies, of course, must be in charge of physicians specially trained for this work. In view of the expense involved, psychopathic clinics are possible at present only in the large cities. The future will doubtless see such clinics established in all public school systems throughout the country as part of the growing work of the schools with exceptional children. In most communities it is probably impracticable for the juvenile court to maintain such a clinic, but it is not too early for juvenile court workers to urge its establishment by the school authorities, or, where that is impossible, as a department of the public health service of the city.

STANDARDIZING INVESTIGATIONS

Investigations in juvenile courts vary greatly. They are made either by the probation officers — paid or voluntary — by the agents of children's societies, by truant officers, or — in rare cases — by the police.

It is a prime requisite that the court investigations should be uniform. One case should not be well prepared and the next poorly prepared. The same kind of information and the same methods in gathering it should be employed throughout. It is, therefore, impossible to

One of the Larger Court Rooms in which Informality and Privacy are Secured

secure good investigations through a number of different agencies. If the truant officers are allowed to present their facts in their own way without verification; if the police are allowed to follow their own methods, and if children's societies and charity organization societies do likewise, the children coming before the court will be variously and diversely served, and all will not get the benefit of equally efficient treatment.

The court which employs paid probation officers, should hold the probation force wholly responsible for the character of investigations made. In cases where the probation officer knows and approves the methods of the charity organization society, for instance, he may need only to check up the information which that society presents in a given case, by an interview with the child and relatives. *In every case, however, the probation officer of the court should review all investigations that are presented to him, seeing to it that the information which the court requires is given; that it has been gathered accurately and carefully, and that the uniformity of the court's work in investigations is maintained.*

The business of investigation is one of the weakest points in most of our juvenile courts. There are few courts where investigations are systematic, uniform and impartial. Cases are often rushed through and the facts learned afterwards. It is better to keep a child in detention a few days and to continue the case, if by that method a painstaking investigation takes the place of a hasty, slipshod inquiry.

THE INVESTIGATING OFFICER

The work of investigation by the probation force of a court is in some cities carried on by one or two officers who do nothing else, while in other cities all the regular officers do the investigating of new cases for court as well as supervise their wards on probation. The method followed depends upon the organization of probation work in any given court. In the few very large cities, or in counties, distances necessitate dividing the city or county into districts, to each of which one or more probation officers is assigned. The work of investigation is, therefore, undertaken by the district officer, who also has the supervision of cases on probation or parole. In most cities, where distances are not so great, and the probation force is comparatively small, it is customary to assign children to officers according to the natural groups of children to be cared for — neglected children, for instance, to the women officers; the larger boys to men officers; the smaller boys and girls to women; colored children, or children of any non-English speaking nationality (where their numbers are large) to officers of the same race or nationality.

Under such a system of assignment where the officer is doing work with a group of individuals rather than in a district, the business of investigations is separated from that of looking after children on probation or parole. Under this plan it would seem desirable to have one officer in charge of investigations, with at least one or two part-time assistants, particularly a woman for the girls' cases. This specialization of work is not only an

economy of time, but actually results in better work. Good investigators are often not at their best in looking after children on probation. The investigating habit of mind — that is, the getting of facts, putting them together and giving the court a complete picture of a case — does not adapt itself easily to the supervision and handling of children on probation.

Good investigation requires doubtless even higher faculties of perception, keener judgment, as thorough training and as extensive sympathies as working out the problems of probation. On the investigator depends largely the judgment of the court, the assignment on probation, and the beginning of the probationary treatment.

This preliminary investigation for the court is, of course, not so thorough or painstaking an examination as a probation officer must make in beginning probationary treatment. The court's judgment is based upon the large outstanding facts, not upon the details. The court has only three major alternatives — commitment to an institution, probation or discharge. To arrive at such a decision, the lengthy, searching inquiry which begins probationary treatment, is unnecessary. Therefore, the specialization of this type of investigations in the hands of special investigators, who are not dealing with children on probation, is practicable and desirable. It is also a distinct economy in the organization of the court's work, for it keeps officers dealing with children on probation, free from the interruptions attendant upon investigations and consequent attendance at court. It also relieves the regular officers of the investigation of the great

proportion of cases, which are dismissed by the court, and which would therefore never come into their hands for probationary treatment.

THE PRESENTATION OF INVESTIGATIONS IN COURT

In practically all juvenile courts where there are several probation officers, the chief probation officer is present at all hearings, although he usually has not made the investigations. However, he must be familiar with the cases which are coming before the judge, and, therefore, has to review the facts gathered by the investigating officer. In many courts the investigations are presented to the judge in a most unsystematic way. The investigating officer often tells the story from a few pencil notes, which do not form a complete or permanent record.

All investigations should be presented through typewritten statements on clear, simple forms. Such statements can be easily reviewed by the probation officer before the hearing, and presented to the judge for his perusal as the cases come up. Lengthy, wordy explanations are thus avoided and the court has a uniform and permanent record.

Another objection to presenting investigations orally is, that all the facts cannot be impartially stated, nor a well-balanced picture drawn from memory. *Probation officers, as a rule, fail to distinguish between facts and conclusions. A large portion of the evidence given by probation officers in juvenile courts is a mass of opinions and conclusions.* The only way to avoid testimony so manifestly unfair and absolutely valueless, is to secure

The Small Informal Court Room, where Hearings are Held Practically in Chambers. The Waiting Room Adjoins It

the full facts in advance as accurately as possible and put them in writing.

For an intelligent understanding of any case, the judge should secure, first, the usual legal papers, including the probation officer's investigation of the child and its home. Before any other evidence is secured an opportunity should be given to the child to tell its story to the judge. In many cases where this is done, it is not necessary to hear any witnesses. The important thing in the hearing is to get the truth from the child. A sympathetic judge is more likely to succeed by gaining the confidence of the child before hearing from police or truant officer or other witnesses. Where this process is reversed and the child is heard after an array of witnesses have testified, it is not surprising that he takes refuge in evasions. Failing with the child, there is no course left to the judge but to confront the child with the witnesses in the hearing.

Many cases are disposed of in juvenile courts without the presence of the parents of the child — a practice to be avoided. Oftentimes dispositions are made in the cases of neglected children when the children themselves are not in court. This is wholly wrong; it inevitably results in laxity, error and confusion, and is open to very serious legal objections.

RECORDING VERBAL TESTIMONY

Much telling and valuable information often comes out in court in the verbal testimony of witnesses. Facts of primary importance sometimes escape an investigator. The hearing with the witnesses, relatives and complain-

ants all grouped around the judge, often brings out facts which could not be otherwise secured. This being so, it is often argued that a court stenographer should be present in every case to take the testimony. In many courts this would be an unnecessary expense, because by far the largest portion of the testimony is of comparatively little consequence. The important information which comes out at a hearing can be easily noted by the chief probation officer and transcribed later as part of the investigation. In special and involved cases a stenographer may be necessary.

THE INVESTIGATOR IN COURT

There is some question as to whether the officer who investigates the cases should be present at all hearings — especially in large cities, where court hearings take much time every day. It is contended that an investigator who collects the facts, if such facts are thoroughly and accurately recorded, can add very little orally, except in controversial cases. The safest method is to have the investigating officer present during the hearing of the cases, if his time will permit. Under the district system, the investigator, of course, is always in court at the hearing of the cases which he or she has investigated. The best interests of the child make it necessary for the court to consider hearsay and other evidence of a more or less informal kind which would ordinarily under strict rules of evidence be excluded. It is of the utmost importance that the court should avail itself of just the kind of evidence that the investigator presents. If it should finally be determined that the laws as drawn do not permit the

introduction of such evidence, express provision should be inserted in the statutes allowing its use.

Section 4. The Court Room and Court Procedure

Publicity

The hearings in most cases are held in the court-house and are open to the public. An effort should be made to conduct the hearings in such a way as not unnecessarily to advertise the misfortunes of children.

All merely curious spectators should be barred from the court room. Only persons involved in the cases to be heard, or who have other business with the court should be permitted. This restriction, of course, does not exclude visitors interested in the court's work. *One child should not be permitted to hear the story of another. The judge's desk should be so located as to prevent a child's story from being heard by any others than those directly involved. Newspaper reporters should not have easy access to the stories of children.* Many courts have done away entirely with newspaper reporting of cases before the juvenile court, except at the direction of the judge. Managing editors of newspapers, when their attention has been called to the evils which result from publicity of children's troubles have willingly withdrawn their reporters from the juvenile court.

Arrangement and Appearance of Court Room

Whether the juvenile court is held in a large open court room, or in small chambers, *the ordinary trappings of a court room should be discarded.* The

judge's desk should be so arranged that the child's head will be on a level with the judge's, and close by him. All other benches and chairs should be at some distance from the judge's bench in a large court room. So far as possible, uniformed officers should be dispensed with. The clerk or the sheriff should not occupy the conspicuous positions which they do in the ordinary court room, because their services in a juvenile court are comparatively unimportant.

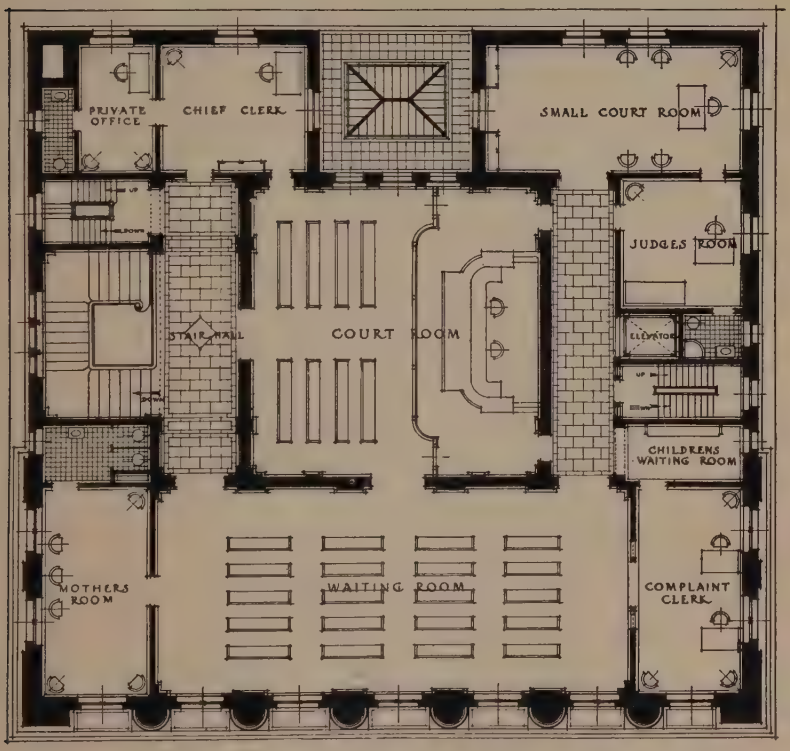
TYPES OF COURT ROOMS

There are two fairly distinct types of juvenile court rooms in use — one to which the public, or at least that portion of the public which has business with the court, is admitted freely — and the other, the private chambers in which the judge hears a case in the presence of only those persons directly concerned. There are, of course, variations of these types. In some courts the waiting room is distinct from the court room — in others, the court room is so small as to admit very few persons other than those concerned in a given case.

Whatever the type, it is essential that the hearing should be as informal and as private between the court, the child, and those immediately interested, as it is possible to make it. Unnecessary publicity of every kind should be avoided, so that the child may see that his misfortunes are matters between the court and his family and not for the public ear. Every court room should be arranged to avoid over-crowding, congestion, disorder or noise.

Whatever type of court room is used, the parents of

New Building for the Children's Court, New York City



PLAN OF COURT ROOM FLOOR

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a child should be present during the child's hearing. In a few rare cases the judge may be compelled to question the child alone in order to get at essential facts. In such special cases, the judge and officials of each court should work out a method of hearing that will secure the desired result, and at the same time not subject the court to the criticism of holding star-chamber sessions. The support and confidence of the community may easily be sacrificed by the appearance of secrecy in public business. *Many of the advantages of hearings in chambers may be secured in an open court room, properly arranged.*

ARRANGEMENT OF PROBATION OFFICES

The close relation of the probation offices to all the court's work requires that these offices should be as near the court room as possible. To the probation office come parents, complainants and children when the court is not in session. The probation office keeps the records which are of chief value to the court. It is much more necessary that the probation office and the court should be close together than that the probation office or the court should be close to the detention home.

The probation office should be arranged to give the probation officers who interview children or parents entire privacy. The chief probation officer should have a private office. Clerks and stenographers should be so placed as not to be constantly interrupted by callers and telephones. One person should be assigned to meet callers and answer telephones wherever the volume of business is great. The telephones and record-room are

both used frequently, and all persons in the office should be easily accessible to them. In well-established courts, it is surprising to find probation offices still awkwardly arranged, when a little study in arrangement would save the time and wasted energy of many persons.

FREQUENCY OF HEARINGS

A serious evil in many juvenile courts is the infrequency of hearings, as a result of which children must at times be held in detention several days, sometimes a week or more. *Justice to children and their parents demands that, even in courts where the volume of business is light, there should be daily hearings, or hearings at least every other day.* Where a separate judge presides over the juvenile court, or where one judge is assigned to the juvenile court for his entire time for a definite period, daily hearings should, of course, be held. *An hour or two hearing each day of the week is much more just and satisfactory to children, parents, and probation officers than a six hour hearing one day a week, or a three hour hearing three days a week.*

It is also essential that the hearings should be regularly held on fixed days. In some courts it is the custom not to have hearings on fixed days, but only on such days as the judge happens to fix them. In every court regular days should be set and rigidly adhered to, except for extraordinary reasons.

LENGTH OF HEARINGS

Frequent hearings make it possible for the judge to give a longer time and more careful attention to

each child. *Many judges take much too short a time to hear a case.* Records show that some courts dispose of fifty to sixty cases in a three hour hearing. Some courts devote an average of less than five minutes to a case. It is evident that such hearings are more or less perfunctory and inadequate. On the other hand, there is an evil in unnecessarily protracted hearings. Some judges spend an hour on a simple case which might better be disposed of in five or ten minutes. This is usually due not to difficulty in getting facts but to the desire of some judges to preach a sermon. However valuable such an "address from the bench" may be, it is certainly a questionable practice if it keeps other children and their parents waiting for a hearing. And there is much doubt as to the value of such lessons at the time of hearing. Most experienced judges state that it is more helpful to draw out the child and get him to talk than to do much talking themselves.

KEEPING MINOR CASES OUT OF COURT

There are probably very few courts in which it would not be possible and desirable to prevent a considerable percentage of cases from coming before the judge at all — cases which are too trivial for judicial action. Many courts hear such cases only because no system of taking care of them otherwise has been worked out. In courts where the chief probation officer can exercise discretion in filing complaints, he should strive to prevent trivial complaints being filed. Truant officers, police officers and others can also settle many trivial cases without recourse to court.

In one court, for instance, the record of several years shows that of some eighteen hundred arrests of children each year only twelve hundred, or two-thirds, go to the juvenile court. The remaining six hundred have been settled by the police at the various police stations. This means either that the police have found the complaint trivial and have permitted the child to go with a reprimand, or that the prosecuting witness, after talking the matter over with the police has dropped the case, or that the police have called in the child's parents and have released him to them.

A well-organized police force can be of inestimable help in dealing with minor delinquencies through the different police stations, but the juvenile court should keep in close touch with the relation of the police to these delinquencies in order to make sure that the treatment the police give is really effective and fair.

In the cases of children the police need to see that the real reason for holding a child for the court, even when the offense is trivial, is to be found in the social factors in the child's life — in his home and in his companions. The police need to be constantly educated to the idea that no child who comes under their jurisdiction should be released when he is growing up under bad influences. He should be given the benefit of the court's discipline and protection. On the other hand, children should not be sent to court for minor delinquencies when their homes and surroundings are good. Nothing the court can do will help them. The police should keep records of all cases unofficially disposed of for future reference. Where the methods of the police department permit, a

copy of this record should be forwarded to the juvenile court for filing. This may be valuable if the same children come into court at a later day.

No case in which a formal legal complaint has been filed, should, of course, be kept out of court or heard by any one other than the judge.

SEGREGATION OF CASES

In many courts a distinction is made in the kind of cases heard on a given day. On one day the cases of neglected children will be heard; on another, truancy cases, paroles from institutions, changes of custody, etc.

Cases of adults (whether parents or strangers) complained of for contributing to children's delinquency are virtually criminal cases, usually requiring the attendance of more witnesses than the children's cases and a more formal examination of the witnesses and, indeed, greater formality throughout the proceedings and in the arrangement of the court room, and sometimes involving men being brought into the court or taken out of it handcuffed or at least in the custody of officers. *Therefore, the cases of adults should be heard at a time separated from the time at which children's cases are heard by an interval long enough to insure the absence from the court or its neighborhood of all children except those needed as witnesses in the adults' cases.* The cases of many neglected children are in essence so similar to the cases of adult contributors that they should be heard at the adult session. Certain serious cases should also be heard separately, those involving gross immorality being heard in chambers, if possible.

Within reasonable limits it is also desirable that in the court room there shall be such supervision as will prevent close contact between young and older children, and boys and girls. Many cases of widows' pensions and of purely dependent children (if the laws make the mistake of assigning them to the juvenile court at all) should have a separate session. In many courts further classification is made, e.g., by assigning truancy cases for a separate day, etc. The value of such further classification depends very largely on local conditions, the volume of work, and the arrangement of the court room, as most cases other than those first mentioned do not differ materially in the fundamental factors involved. The important thing is that the cases of all children shall be heard speedily and as privately as is consistent with public policy.

PROCEDURE IN COURT HEARINGS

There is a great difference in the methods followed in hearing cases. Most courts agree that the hearing should be informal, and the child and relatives put so far as possible at ease by a perfectly natural and readily understood manner of inquiry. In some courts, however, some of the forms of criminal procedure are still adhered to. The witnesses and often the child are sworn and the legal complaint is read out loud. *While the oath may serve a purpose in securing the truthful testimony of adult witnesses, it has not proven of value with children. It should be discarded as a useless and confusing formality in dealing with the child.* The oath means little or nothing to children, who tell the

truth more freely when they are not frightened by formalities. Formal proceedings not only frighten many children, but they misinterpret the court's function as friend and instructor. Any form of procedure which smacks of prosecution or inquisition puts a child in a position of defense. *Such procedure is entirely incompatible with the juvenile court idea.*

The best results are obtained when the judge, before hearing a case, has examined all the papers relating to it, in order first to get a general impression of the child and the case. With that impression in mind, the judge may proceed more directly and intelligently to get the facts from the child, relatives and witnesses. Some judges prefer to hear the witnesses first and the child and his parents last. That order has the disadvantage of putting the child on the defensive.

The judge who says, "Well, Johnnie, this paper says that you have stolen three pairs of pigeons from Sam Jones," is more likely to get an honest and open response than the judge who begins by hearing witnesses before going to the boy for his story. Furthermore, it is better for its effect on the child.

No rules can be laid down for the detailed conduct of hearings. Each case has its own peculiarities. There are many cases in which it is better to examine the witnesses first; others in which the child should be examined in entire privacy in the absence of witnesses; others in which the child should retire while the judge talks privately to parents, varying according to circumstances in each case. In cases in which it is necessary

for the court to reprimand parents, the child should never be present.

In accordance with the spirit of the law the position of counsel in the hearing is quite different from that in the trial of a criminal case. It is rarely necessary or desirable for counsel to appear in the interest of children; and when counsel do appear, it is usually in the interest of the parent. The judge and the probation officer stand in a wholly different relation to the child from that in which a trial judge and prosecuting officer stand. They represent his interests and welfare. As the real purpose of the proceeding is the welfare of the child, every effort should be made to make attorneys realize that fact. In actual practice it has not been difficult to accomplish this in a majority of the courts, since the members of the bar readily accept the suggestions of the judge. In some courts, however, where relics of criminal law and criminal procedure are still found we likewise find lawyers representing children in the old technically contentious way.

The nature of the proceeding makes it impossible to use the jury at the hearing. In the early history of the movement the provisions for trial by jury were inserted in the law as a concession to those lawyers who feared attacks on the ground that constitutional rights to a jury trial could not be taken away from the child. This conception rested upon the proposition that the child was being tried — as if under indictment — for a crime. One by one the courts declined to take this view and held that there was no requirement under the various constitutional guarantees that made a jury neces-

Large Court Room Planned for Use as a Police Court

It is adapted to juvenile court use by separating the bench from the remainder of the room, &c.

sary. In practice a jury could only serve to complicate the situation and hamper the judge in disposing of the case.

GROUPS OF CHILDREN

The delinquent children who come before any juvenile court may be roughly divided into three groups from the standpoint of their social status, which best indicates the dispositions to be made:

First, those whose homes and social influences are thoroughly good, but who have committed some offense. Such children do not need an institution or probation, except in very rare cases. Discharge, warning, restitution and the like are most applicable.

Second, children whose homes and social environment are ineffective, who offend more or less frequently, and who are in need of additional guidance. Such children need probation, and, that failing, the special training of an institution.

Third, the small number of children mentally or morally defective. These children usually need exceptional care, sometimes in their own home or in a family — more often in institutions. Feeble-minded children should be sent to institutions. Probation is rarely a satisfactory disposition of such cases — and a discharge is worse.

Those children whose homes and social environment are bad, of course, compose the group of neglected children. For such children, removal from their homes and commitment to relatives, friends or placement in a suitable family home is usually advisable. In some few

cases, where the home may be good and the environment bad, results can be secured by having the family move into a better neighborhood. Occasionally, even a bad home can be reconstructed through the probation of parents.

JUDICIAL DISPOSITIONS

Every essential fact regarding a child should be presented to the court before a judicial disposition of the case is made. Making the disposition is the most important single point in the entire juvenile court system, for it prescribes what influence, if any, the State shall apply to protect or guide a child in his formative years. *The underlying idea in making all dispositions should be the training of the child to make him as good a member of society as possible. Every disposition should be based on the idea of what is best for the child's welfare. There are, however, many judges who still adhere to the idea of punishment, of inflicting some pain upon a child as the consequence of his wrong-doing.* Such an idea is opposed at once to the letter and the spirit of juvenile court laws. There is no justification for that attitude of mind well-expressed on one occasion by a judge who said to a probation officer, "What you propose is all right for the future of this child, and I have no doubt that under your plan he will grow up to be a good man, but the court cannot condone this offense, and the child will have to suffer for it."

No case, no matter how trivial, should be disposed of without explaining both to the parents and child exactly what the decision of the court is — and often the

reason for it. Parents frequently leave the court without any clear idea of what has been decided or why. This is especially true of immigrant parents. Every effort should be made by the judge and probation officers to explain carefully every disposition, wherever there is any doubt about its being clearly understood.

Substantially there are only three decisions or dispositions of a child which the judge can make. He may either discharge him, place him on probation, or commit him to an institution. There are, of course, many conditional decisions, involving restitution of property or reparation of damage, or involving some action on the part of parents, such as moving to another neighborhood, or sending the child out of the city to relatives. Fines are not properly a disposition of children's cases, and are clearly illegal under modern juvenile court laws.

DISCHARGES

In cases in which the evidence does not substantiate the complaint made in the petition, the child will, of course, be discharged. Even in cases in which the complaint is substantiated, there are often reasons why the court should discharge the child, chiefly because the intervention of the court is not necessary for the child's welfare. For instance, children arrested for violations of certain ordinances — playing ball in the alley, making fires on vacant lots, riding bicycles after dark without a lamp, etc., etc.,— can be safely discharged with a warning where home conditions and school records are good. Children who offend through ignorance of such ordinances should, of course, be discharged. Most such

cases are so trivial that the court should not deal with them at all.

In some cases, even though the evidence touching the particular act complained of is insignificant, there may be features which demand action by the court. *There is a real danger in discharging children who are growing up under conditions which the court might correct. The sentimental idea, "Give the child another chance" often leads to a discharge, when probation would have saved him from further misfortunes.*

MONEY PENALTIES

Money penalties or fines as punishment for wrongdoing are absolutely opposed to the thought underlying the modern movement. They are relics of and part of the criminal law. In the early history of the movement the Supreme Court of Michigan declared invalid a law of that state which gave power to a juvenile court founded on the chancery idea to impose a money penalty. Nevertheless, money penalties in the form of costs of court or fines are in very common use in juvenile courts where founded on the criminal law. They cannot be used, however, where the law provides the civil (chancery) procedure for the juvenile court. The disciplinary value of money penalties is often secured, however, even under civil (chancery) procedure by requiring restitution, the earning and saving of money or the imposition of daily tasks.

There is a difference of opinion as to the desirability of using fines or money penalties in children's cases. It is regarded by some juvenile court workers as being en-

tirely inefficient if urged as an educational influence, because the burden of the fine falls not upon the child, but upon its parents. Others regard it not only as a penalty or punishment opposed in spirit to the thought underlying the law, but of no educational value whatever. As opposed, some feel that fines have a more or less educational value for the child, and, in certain instances, for his parents. Where the practice of fines prevails, they are most frequently used in such cases as automobile speeding and other violations of traffic ordinances, gambling and similar offenses in which money plays a part in the offense. In practically all such cases the public, not an individual, is the complainant. Fines are useful, it is urged, in cases in which a discharge or probation are equally unsuitable.

The same educational value is claimed for court fines as for the fines in use in many families for violations of family rules. Those who favor the use of money penalties point out that the child cannot well get the disciplinary benefit of a fine unless he pays it himself. Fines can be made very small and payable in instalments, even as little as a few cents a week. The child may be required to pay it from his parental allowance if he gets one, or to earn the money, even if he earns it by special work for his parents. Those who believe that fines have value concede, however, that no fine or costs of court should ever be assessed against any child whose family would suffer by paying it. *It is only when the fine-money can be spared and when it can be used as an educational discipline for the child that it can have any value whatever.*

RESTITUTION AND REPARATION

Another practice in juvenile courts involving money payments,— restitution and reparation,— is accepted throughout the country. The words are often used interchangeably. Properly, restitution is the return to the complainant of the value of property taken or loss caused by the child, that is, re-paying the actual money value lost; reparation is the payment of money in the form of damages for injury done. The practice is followed in a great variety of cases. A child who breaks a window is required to repay to the owner of the window its value. A child who has stolen is required to return the value of the articles. A child who does a person bodily injury, whereby a doctor's bill is contracted, is required to pay the bill or repay the amount to the injured person. In addition, in such a case as this last, reparation as well as restitution may be required, that is, payment for the injury done, as well as for the expense of a doctor's treatment.

While the juvenile court is not a collection agency, yet complainants have a right to expect restitution or reparation. *The great value of restitution and reparation is not in the satisfaction of the complainant, but in their educational discipline of the child.* It should be stated, however, that many probation officers believe that the requirement of money payments, even for the desirable process of restitution, is on the whole undesirable as tending to assume the principal place in the minds of both probation officer and child and to distract their attention from more fundamental features of the probation.

COMMITMENTS

The word "commitment," whether used in connection with a delinquent or neglected child, describes a judgment of court placing a child in the custody of an institution, and the word should be used in no other connection. The commitment of a delinquent child is often erroneously looked upon in many courts as a form of *punishment,* and as the only suitable punishment for very serious offenses. *A commitment, like all other dispositions, can be justified only on the ground of educational discipline. It should be looked upon as a means of discipline of the last resort. Institutional training at best is inferior to good home training, and its chief usefulness is for children who have gone beyond the possibility of successful home training.*

Therefore, children whose habits are continuously bad and whose control at home is ineffective, may be considered proper subjects for institutional training. This may be true even on a child's first appearance in court, although usually it should not be resorted to until after probation has failed.

Temporary detention in institutions or in family homes is often resorted to in the case of neglected children as a means for reforming the habits of parents. A shiftless, neglectful mother or a loafing, intemperate father sometimes change completely their ways of living with the shock of being deprived of their children. Such a commitment, followed by conditional release to parents and careful supervision, is often the beginning of successful treatment of serious cases of neglect.

The commitment of delinquent children to institutions should always be for indeterminate periods. No fixed sentence — thirty, sixty, ninety days, or six months — is justifiable from the educational standpoint. It is impossible for a judge to tell in advance how long a child needs to be in an institution to be cured of bad habits. That is primarily a matter for the institution authorities to decide. *While the court may retain the control, as it should, and grant the release of a child at any time, still the best results are naturally obtained when that release is dependent largely upon the counsel of those who study and understand the child in the institution.*

The judge should require that children committed to institutions be taken at once by the proper officer. Delays are frequent in many courts when commitments are made to distant institutions, and children are sometimes held until several can be taken together. *It is important that each child should go as privately and quietly as possible, by the ordinary means of travel, and that all appearance of being in custody should be avoided. Patrol wagons should never be used. Girls should invariably be accompanied by women.*

PROBATION

Probation is a judgment of the court placing the child under the guidance and control of a probation officer. A distinction should be made between delinquent and neglected children in the use of "probation." *Probation is properly a term to be used only in connection with delinquent children,* for it means a "trying out" of the child under guidance and discipline. In the case of neg-

lected children, it is the parents who chiefly need to be looked after, and the term "supervision" applying to the children more accurately indicates the process than the word "probation."

The use of probation in juvenile courts is very general, but its application varies greatly. Children of average habits with good homes and surroundings will be discharged in one court, and in another jurisdiction, placed on probation.

In some courts children who clearly are failing to respond to guidance will be put on probation time and again, while in other jurisdictions they are committed. As a general rule, probation should be used whenever a child has a home in which he is not actually neglected, and when he seems capable of response to good influences.

No suggestion can be made as to the acts for which probation is a suitable disposition because probation does not depend for its applicability on the act, but on the child and the conditions under which he lives. Probation may be entirely suitable, even when the act committed is very serious. It is primarily the child, not the act, which the court is treating. Very often probation can be combined with conditional factors, such as requiring a family to move from an undesirable neighborhood to one better adapted to the needs of their boy on probation. Such conditions are justified by the nature of probation itself.

OTHER DISPOSITIONS

There are many other orders which judges of juvenile courts are called upon to make. There are releases and

paroles from institutions; changes of custody of neglected children from one family to another, or from a family to an institution; orders of maintenance, and in some courts, orders affecting parents and others in their relation to laws protecting children.

Whenever any change in the legal custody of a ward of the court is made, an entry should be made to cover it, whether or not the child actually appears. This is a judicial matter, but probation officers are prone to handle such "details" summarily themselves. Some judges allow them to make such changes. Institutions often place children out without any record being made in court. Such a practice is not only confusing, but usually illegal. No institution or probation officer should make a change in the custody of a child except through order of court, entered on the court's docket.

In the same way, a final discharge from probation or supervision should be entered in court, and the child himself should be present to receive the order. Only by attention to all such items in the business of the court, can the record be accurately kept, and children effectively cared for. Many juvenile courts still show a striking lack of regularity and uniformity in their official records.

SPECIAL CASES

There are certain kinds of cases which are treated very differently in different courts and by different judges in the same court. This is particularly true in cases in which a knife has been used to inflict bodily injury. These so-called cutting cases, common as they are, seem to be regarded with peculiar severity by many judges. Boys

who have never been in court before, but who come in on a stabbing charge, are frequently sent to institutions at once, without any trial on probation. Yet boys who throw rocks, with the same motive, are seldom looked upon as very serious offenders. The difference lies in the common dread of the use of knives because of the greater likelihood of serious injury. These distinctions, which are not ordinarily made by boys, should be taught by the court. While the results may be serious, the motive of an act, not the consequences of it, should be the subject of the court's inquiry and the basis of action. Even manslaughter should be considered from this viewpoint. The disposition should be determined by the child's record, home and the promise for his future, just as in any other case, and not on account of the serious effects of wrong-doing. Violence is usually much easier to cure than other forms of delinquency.

Another group of cases diversely treated are those involving some sexual wrong-doing — the rather frequent instances of maturing boys attempting intercourse with very little girls, or vulgar practices between boys and girls in the very early period of adolescence. There is no reason why such cases should be regarded as subjects for peculiar and severe treatment. These sex offenses do not indicate abnormalities. There is hardly any boy in the uncertain revolutionary years of adolescence who would not become involved under certain conditions and temptations. It is the common opinion of workers with children that very few such cases are ever discovered compared with the number which actually exist and very few of those discovered are brought to the juvenile court.

Says a prominent judge, " If the case is not one of chronic sex viciousness, it is perfectly absurd to commit the child to an institution, and it should never be done. Many of these cases are physical rather than moral, or, in a sense, unmoral. It is only in a case of sex viciousness that is apparently chronic and dangerous to society and other children where commitment should be had."

Feeling, of course, is often high in neighborhoods where such acts have been discovered, but the court can meet such situations without recourse to institutions. The boy's family itself is usually only too glad to move.

PART III

PROBATION

Section 1. History and Definition

The function of probation has grown gradually through many years until it is now a definitely established factor in court procedure. It grew originally out of the practice of suspending sentences in cases in which the defendants had been convicted, and imprisonment manifestly promised to be of little or no avail. The courts, instead of executing the sentence prescribed by law, had the right of indefinitely postponing it and releasing the defendants conditionally on good behavior, the understanding being that if they transgressed the law, they would be returned for sentence on the original conviction, but if they behaved, the sentence would be indefinitely postponed and they would be finally discharged.

It naturally followed that during this period of conditional release, the court could require some record of the conduct of the persons so treated. Police authorities, parents, relatives, charity workers, or other persons, were requested to take an interest and report to the court the conduct and progress of the persons so released. The judge also required that those persons, children or adults, so released, should report to him.

Out of this practice developed naturally the idea of

appointing some person to give his or her whole time to the work, such a person to be paid out of public funds. In 1878 a statute was enacted providing for the appointment of such a special officer in Suffolk County, Boston, Mass., thus demonstrating that the idea had taken root. These officers were given the title of "probation officers" and the system of supervision of persons released after conviction has ever since been known as the "probation system."

The juvenile court views the probation system differently. Instead of construing it as the postponement of the execution of sentence after conviction, it is regarded under chancery procedure as a means of judicial guardianship,— that is, a form of discipline and guidance on the part of the State, exercised over the child in his own home. Under the chancery idea in juvenile courts, children who have been adjudged delinquent, rather than convicted of an offense, are declared to be "in need of the care and guardianship of the State"; they become wards of the court, are put on probation and placed under the control of the State's representative — the probation officer.

The difference between this and the original system of probation is only one of theory, for the work of probation officers under both systems is practically identical. Its value is the same under whatever form of law the court is organized.

From a social point of view, probation may be said to be a process of educational guidance through friendly supervision. Mere surveillance is not probation. Probation is an intimate, personal relation which deals with

all the factors of a child's life, particularly his home. Its chief function is to adjust the forces of the community to the child's life. Every social agency is called into play, the object being to surround the child with a network of favorable influences which will enable him to maintain normal habits of life.

The term "probation" is also often applied to the supervision of children who are released from reformatory institutions, when as a matter of the correct use of terms, such children are properly on "parole." There is this difference between probation and parole. Probation means the supervision of children *before* commitment to institutions, while parole means the supervision of children *after* release from institutions.

Probation and parole are terms that are properly used only in connection with children who have been declared delinquent. In speaking of the process of court under which neglected children are looked after by probation officers in their own homes, the term "supervision" is better.

PROBATION AS A RECONSTRUCTIVE FORCE

The whole function of the probation and supervision of delinquent and neglected children is coming to be recognized as a positive method of treatment, as an active, constructive force in the lives of the children under its influence. Probation is regarded less and less as a form of discharge, of "letting children off easy," an idea surviving with that of punishment. Delinquent children are put on probation because it is the most suitable educational influence for them.

The period of probation should always be indeterminate, in the same way as all commitments to institutions. Judges cannot possibly fix the period of treatment in advance. The probation officer must ordinarily be the judge of the proper time to recommend the termination of probation.

This conception of probation as a vital, active force, naturally carries with it the requirement that those who exercise this function — the probation officers — should be trained, sympathetic, and experienced men and women. They must measure up to high standards of character, personality and ability; they must know child life, the problems of the family, local social conditions, and the use of social agencies. The probation officer must bring home to every child a feeling of the directing force of probation. The old type of loose and lifeless supervision which passed under the name of probation — permitting a boy to go for weeks without seeing his probation officer, to fail in his reports without being looked up — is being rapidly displaced by this positive conception of probation as a vital, adjusting, educational force.

Section 2. The Exercise of the Probation Power

The Judge's Relation to Probation

Probation is not a judicial function. It is executive, similar to the administration of a reformatory institution. It is wholly unlike the judicial function. The primary function of the judge is to hear the evidence, pass upon the investigations and to enter judgment. Following up the treatment of children who are made wards of

the court is a secondary and quite different function. *As a general rule the judge should keep in close touch with the probation work, as well as with the institutions to which the court commits.* This contact helps the judge in his work on the bench, it increases the efficiency of the probation officers and it helps the children.

In a separate juvenile court, presided over by a judge with no other duties, the judge may even take an active part in the probation work. He often keeps in close personal touch with probation and is at once judge and chief probation officer.

When the court is a division of an existing court, as is most frequently the case, the judge's service is usually limited, or much of his time taken up with other work. It is manifestly impossible for a judge so limited to do any satisfactory probation work. *But many judges sitting in courts of this kind, attempt to supervise children on probation by requiring them to report in court at stated intervals.* This practice has little, if any, value. It is not possible for the judge to establish close personal relations with many children, and the quality and quantity of the work is necessarily limited. It is also open to the serious objection of compelling the child's frequent attendance in court. Mere reports are of little value in working out children's problems. *It is the visit to the child's home and school, the knowledge of his family, his friends and neighbors that tell most in the reconstructive process.*

As a general rule, therefore, reports to the judge by probationers are valuable only in those juvenile courts where the judge has ample time for juvenile court work.

In courts where he has little time, the judge's chief contribution to the probationary process, is in taking up difficult cases with probation officers, and checking up the work done by them.

PROBATION BY TRAINED PROBATION OFFICERS

No probation work can be really effective unless done by or under direction of regular probation officers, devoting their entire time to the work. The service requires training, undivided attention, and interest in its problems. The courts are coming to require more generally this type of service from officers paid out of public funds.

In the earlier days of the juvenile court, many officers were paid out of private funds. Some gave the whole, others only part of their time to the work. In some very large cities, numbers of probation officers are still paid entirely from private sources. Some of them are agents of children's societies appointed as probation officers by the court. Others are paid by emergency citizens' committees, organized to perform a public function until the State by legislation and appropriation takes it over. In some cities, officers of the court, such as the sheriff or clerk, are appointed to exercise the function of probation, and in others police officers are appointed for that service. Many courts utilize so-called volunteer probation officers, men or women, who give a small portion of their time from business and private affairs to looking after a few children assigned them by the court.

A classification of the various persons exercising the function of probation shows the following groups:

1. *Persons giving their whole time to probation work.*

(a) Those paid from the public funds either as regularly employed probation officers or as officers from other departments detailed as probation officers (chiefly the police and truant officers).

(b) Those paid from private funds either as special agents or as paid agents of some children's society detailed to this work.

(c) In exceptional cases, some volunteers who give their whole time without remuneration.

2. *Persons giving only part of their time to the work of probation.*

(a) Agents of private societies who do probation work in addition to their other duties.

(b) Court officers giving part time to probation work.

(c) Part-time volunteer probation officers.

It is clear from the previous statement of the function of probation that many of the arrangements outlined above are mere make-shifts, tolerable only until such time as the court can secure its own paid officers. The difficulty of controlling the work of officers appointed by agencies other than the court must be apparent.

Several courts using large numbers of volunteer officers have advanced the belief that "the volunteer is a better worker with the child than a paid officer" on the ground that the paid officer becomes impersonal and professional and lacks the human interest and fresh touch of the volunteer. If that distinction is true anywhere, it is due not to the merits of volunteers as opposed to paid officers,

but to the personalities and qualifications of individuals.

As a general proposition, the function of probation is such a delicate and continuous service that only persons who give their whole time to it can be expected to influence effectually the lives of the children committed to their care. It is just as necessary to have paid probation officers giving their whole time as it is to have paid employees in institutions caring for children, or paid teachers in the schools. The process is not one that can be undertaken intermittently, as is frequently the case when a volunteer engaged actively in some other business undertakes to care for a child on probation. The most effective probation officers are those who are able to establish close, natural relationships with the children and families with whom they deal.

No general rule can be laid down as to what kind or type of persons have this qualification. Even as between volunteer and paid officers, it is a question rather of personality, training, and experience than of the mere fact of compensation. As between men and women, it is a question rather of the group of children with whom they deal, for it is apparent for instance that only women are qualified to supervise girls, and that men are better qualified to deal with adolescent boys. In the case of colored children, a more natural and effective relation is established with them and their families by colored officers than by white. The same is also true of any large racial group.

PROBATION ON A BASIS OF RELIGIOUS BELIEF

It is the practice in many courts to assign children on the basis of religious belief. This is done particularly where the probation officers are the paid agents of private societies. Catholic children are assigned to Catholic officers, Protestant children to Protestant officers, and Jewish children to Jewish officers. *While the question of the religious influences surrounding the child must always be given full consideration and attention by probation officers, the problems involved in most cases of neglect and delinquency, would not naturally suggest this basis of assignment.* The religious influence should be provided through the parents, not the probation officer. *Certainly it is a mistake to sacrifice to the religious basis of assignment certain fundamental distinctions in assignment on a basis of sex, color, maturity, and the character of children.*

METHODS OF APPOINTMENT

Probation officers are selected or appointed by several methods. They are universally appointed by judges, either the judge of the juvenile court alone, or in conjunction with his colleagues, where the juvenile court is a division of a court of larger jurisdiction. Judges may appoint without restriction of any kind, or upon the approval of a State Probation Commission, State Board of Charities or other supervisory body or from a civil service list of eligibles.

The application of these methods of appointment is to a large extent a local question. In some places unre-

stricted appointments by the judge may be satisfactory. This is particularly true where the juvenile court judge is appointed or elected especially for that work and for a considerable period of time. *Wherever judges change more or less frequently* (and the probation system of course is permanent), *unrestricted appointments are unsatisfactory.*

These methods of appointment represent two distinct ideas as to the function of a probation officer, one, that the probation officer is "the right hand of the court," the judge's personal agent, who should, therefore, be subject to his entire direction and control; the other, that the probation officer is an integral part of the community's system for the care of children, and that he should not be subject to the personal favor of a judge serving a limited term.

The tendency throughout the country is entirely toward the second idea, for without stability and continuity in handling the executive details of the work for children, they cannot be helped effectively. If probation officers are not protected by some system which guarantees permanency able persons cannot be obtained.

There should be, therefore, some form of the merit system in the selection of probation officers. This may be secured by a rigid civil service law, the appointments being made by a civil service commission, or the appointments may be made by a judge from an eligible list prepared by a commission of examiners. The essential points are:

1st: That the positions should be open to all applicants.

2nd: That there should be a fair and practical examination, directed solely to determining the personality, experience and the general fitness of applicants to do probation work.

3rd: That the selection should be made from among the highest on the examination list by an appointing officer who is not also an examining officer.

4th: That there should be some security of tenure of office, that discharges should be made only for good cause and that an officer whom a judge desires to remove should be allowed a hearing, preferably before the authorities who examined him.

It is helpful to know that the merit system can be applied without specific authority of law, wherever the appointing officer wants it. All that is necessary is for the appointing officer to formulate and make public, rules governing examinations and appointments. He can always secure volunteer service of citizen examiners to conduct the examinations, and to prepare the eligible list from which the appointments are made. Even this voluntary system relieves the appointing officer of the pressure of personal and political influence and secures for the court competent officers under a fairly stable tenure of service. Where legal provision for the merit service is desired, just a brief phrase will suffice to secure it. In one state, for instance, an entirely successful system has been in operation for a number of years under one short section in the law which reads: "The probation officer, deputy probation officers and persons in charge of places of detention as provided under this act, shall be appointed on the basis of merit only, after competitive

examination had in pursuance of rules made a matter of public record of the circuit court."

A merit system throughout a state is best secured by requiring the approval of appointments by a state body. Where there is a State Probation Commission (and as yet only two states have such commissions), the approval of that commission is required for all appointments, and where there is not, the approval of the State Board of Charities may well be required, as in a number of states. Only in this way can uniformity in the probation service throughout the state be maintained.

THE FORM OF EXAMINATIONS

The most desirable form of examination consists of the written test covering the experience and general knowledge of the applicant, and an oral examination to determine the applicant's personality. The usual rating on the examination is on a basis of 50% for written answers to questions on the duties of the position and the knowledge of child problems, 25% for experience and 25% for personal qualifications. The tendency is to rate experience and personality even higher, each being rated by some examining boards as high as 40%. The written portion of the examinations is intended in part as a qualifying test to determine whether the candidates possess the necessary educational requirements. Persons unable to express well their thoughts in writing may, however, possess abilities which especially fit them for probation work.

PERSONALITY

Less attention should be paid to technical training and scholastic education than to personality, temperament and experience. *No system of selection should be tolerated which does not permit the greatest freedom in determining those factors.* Juvenile court work is more intimate, more variable, and more fraught with delicate responsibilities than almost any position in the public service. Such a public officer, clothed with powers which no agent of a private association possesses, stands in a relation to children and families which is at once authoritative and fundamental.

Personality as a selective principle decrees that persons with physical infirmities, of unprepossessing appearance, untidy or ill-mannered, should never be considered for this public service. Yet it is an unfortunate fact that appointments of just this kind are often made.

Young persons just out of school or college, who are often applicants for juvenile court work, are usually not desirable because they cannot have the mature experience which inspires confidence among children and parents. On the other hand, elderly persons are undesirable, largely because of their lack of force. Where a number of officers are employed, they will naturally vary in ages — and age plays a large part in qualifying men or women to deal with particular groups. While earnest and vigorous young men may be the very best supervisors for active and wayward boys, delinquent girls need the counsel of mature women. Older boys of sixteen to

eighteen most often do better with men not too near their own age.

The tendency of men in public office to use the public service to "take care of the worthy and needy," gives us instances of appointments as probation officers of men too old or too feeble for other work. In one instance an ancient ex-superintendent of a workhouse was appointed to this delicate task of directing the lives of children — a man who had been familiar only with the methods of handling the roughest criminal element; in another case, a second-rate detective was appointed; again, a deputy sheriff; again, a veteran of the civil war. Common sense and a proper appreciation of the needs of children would, of course, have prevented any such appointments as these, or many others which could be cited. They all serve to emphasize the constant need of keeping personality uppermost as the first principle and most valuable qualification in making appointments.

EDUCATIONAL QUALIFICATIONS

The character of juvenile court work requires in all officers at least the minimum of school education equivalent to that of a high school.

The professionally trained social worker is needed particularly in this work — trained not only in social theory and conditions, but more particularly in actual work with unfortunate families in which a large knowledge has been acquired and the mistakes of early experience have been passed.

Since the salaries paid probation officers are usually somewhat higher than in corresponding positions in

private societies, it is often quite possible to secure persons experienced in other related social work — such as settlements, children's aid work, and charity organization societies. A young man or a young woman who has the background of social theory secured in school, and in addition the training from service in some organization, may well advance himself or herself by entering the probation service after a few years of practical experience. That is a natural route, and one of excellent foundation for probation work.

EXAMPLES OF THE WRITTEN EXAMINATION

The following are given as examples of questions for a written examination. These questions were furnished by the New York State Probation Commission. They illustrate a common-sense basis of examination.

1. Assume that a 14 year old girl, living in a lodging house, where she helps her mother, who is employed as a cook, is convicted of stealing a mask on Hallowe'en; that the father, who died last year, left the mother $1,000 insurance; that the girl is large for her age and goes a great deal with a girl sixteen years old; that she has frequent headaches, especially after reading; that she is fond of music; that her mother declares her to be untruthful. State (a) whether in your judgment the girl should be placed on probation, and the reasons for your answer; (b) were she to be placed on probation, what sort of person would make the best probation officer; and (c) what probationary treatment you would suggest.

2. Assume that a 13 year old boy, who had taken fruit from a corner fruit stand, is transferred by the court to

your probationary care, after being on probation for one month under a volunteer probation officer who reported to the court that the boy failed to report to him as promptly as he required, and who made other criticisms of his conduct. Assume that the boy lives in a three room apartment in a congested district; that his father, a painter, who shows some sign of lead poisoning, is fretful, and has lately been drinking to excess; that the father occasionally sends the boy to a neighboring saloon for beer; that the mother, who has two other children, is a good housekeeper and fond of her children; that the boy is bright in school, peddles papers, is a leader among his boy companions, but is inclined to be imprudent. State what steps you would take after receiving the boy on probation, and how long you would wish to keep the boy on probation.

ORAL EXAMINATION

The oral test, which is perhaps the most important part of the examination, testing as it does the applicant's personality, consists of an informal interview between the examining committee and each applicant personally. The New York State Probation Commission interviews applicants for a period of ten to forty minutes. The nature of the interview is that which any business or professional man who is to employ a skilled assistant would naturally have with applicants for the position.

Each candidate may be asked such questions as these in the oral interview: "Why do you wish to change your occupation, and to become a probation officer?" "What is your conception of the duties of a probation officer?" "Why do you think you would succeed at such work?" "What have you ever done which indicates

that you are naturally desirous of helping other persons?" "Would you be willing to work, if necessary, evenings and holidays?"

The candidates are asked also about their history, habits and interests. They may also be requested to describe how they would deal with one or two hypothetical cases of children or adults assigned for investigation or probationary care. The interview affords the examiners an opportunity to judge not only the mental endowments of the candidates, but to get an idea of their personal appearance, manner, temperament, interest, sincerity, force of character, and general aptitude for probation work.

The questions and answers and all conversation during the oral interviews are taken down by a stenographer; and the examiners, independently of each other, rate the candidates either according to the general impression they make, or according to some fixed schedule.

SECURING DESIRABLE APPLICANTS

Examination or no examination, suitable appointments cannot be made unless suitable persons become candidates for the positions. The persons best qualified to do probation work should be induced to become candidates. The quality of the applicants, regardless of the nature of the examination, depends in the first instance largely upon the compensation paid. The larger the salary the greater the likelihood of securing persons of the proper caliber and devotion. Even if the salary is adequate, many persons extremely well-fitted for probation work may not enter an examination, or become candidates for

appointment, unless their special interest is aroused. Such persons may be teachers, clergymen, lawyers, social workers or persons engaged in other occupations. No community should complain that it cannot get competent officers in the court until every such possibility is exhausted. Experience has shown that judges, probation associations, probation commissions and other friends of probation, can render valuable aid in getting the right kind of people appointed, first by securing adequate appropriations for salaries, and, second, by rounding up applicants especially adapted to probation work.

SALARIES

Salaries of probation officers differ widely throughout the country. *In order to secure competent persons, the annual salary should be at least the amount paid a first-class high-school teacher in the community.* If *superior* persons are to be secured for the service, the compensation should be higher than that of the public school teacher — considerably higher, in view of the teacher's long summer vacation not enjoyed by the probation officer.

In the very large cities a salary of from $2000.00 to $3000.00 must be paid to secure a competent chief probation officer and from $1000.00 to $1500.00 to secure competent assistant probation officers. In smaller cities or towns, where the scale of salaries is, of course, lower, and where the probation force is small, the salary of the chief probation officer should be between $1200.00 and $2000.00, and the salaries of assistants between $800.00 and $1200.00.

It has been found desirable also to provide graduated salaries in the probation service, a system that obtains in some public departments and in practically all private business. Such a provision would start a probation officer, for instance, with a compensation of $1000.00 a year, increasing at the rate of $100.00 for each year of service for four years until the maximum of $1400.00 is reached. This principle recognizes the value of increased experience and puts a premium on continuous service.

EXPENSES

In practically all courts, probation officers are put to expense in carfare, transportation and the like. Such expenses should be met by appropriating an expense fund. The ordinary expense for such purposes in large cities, where street cars are used, is comparatively small — $10.00 or less a month for each probation officer. In country districts, if an officer has a large territory to cover and must use a carriage or the railroad, it is likely to be considerably higher, often as much as $15.00 or $20.00 a month.

In some states probation officers are also allowed additional sums for giving relief to probationers who are in need. *Juvenile court workers are of the opinion that the giving of any relief whatever by probation officers is unwise, and that they should in every instance call in the organized agencies of relief in the community rather than undertake so difficult and inappropriate a work themselves.*

Section 3. Powers and Duties of Probation Officers

Probation officers have to deal both with children who are wards of court, and children who are not.

Relation to children not legal wards

Among those who are not legal wards are the children about whom some complaint has been made or a legal information filed. An investigation must be made, either to dispose of the complaint or to set the machinery in motion for bringing the child before the court.

Acting for the court, the probation officer has the power to make a full preliminary inquiry, by interrogating child, relatives and witnesses. If this power is questioned and information refused, as it sometimes is, the probation officer cannot force his power and can only report to the court his inability to get the facts. The court can get them at the hearing. Some juvenile court laws give the probation officer authority to take children complained of into custody on order of court. Even where the law does not make provision, written order from the judge directing the probation officer to take a child into custody is practicable.

Probation officers are helped in the performance of these and other duties by carrying a metal badge, or star, indicating their authority. Such badges should, of course, be worn concealed at all times and displayed only in cases of necessity. Although these emergencies seldom arise, probation officers should be provided with badges at all times.

There are other children not wards of the court — not even complained of — who are dealt with in many cities by probation officers. A great difference in practice exists in regard to this function. Children detected in the commission of offenses may be arrested under the laws of some states by probation officers acting under "sheriff powers." *This, however, clearly takes the probation officer outside the sphere of his primary function, probation. It makes of him in the minds of children an arresting or police officer and conflicts with the real idea which probation should convey.*

In some cities, however, probation officers become virtually the truant officers of the city, following up the cases of non-attendance at school, breaking up neighborhood gangs, arresting children for specific acts and, in general, acting as the children's police. *This is a function which should be exercised by the police department, and by the truant officers of the schools. It is peculiarly the business of truant officers. In no sense is it a part of the work of probation.* The only excuse for its assumption is that of expediency; that is, that the work has to be done and that police or truant officers do not do it. *Such a practice on the part of probation officers should be most strongly discouraged, largely because it tends to increased laxity on the part of the police and school authorities.* If the probation officers are willing to assume the whole burden, they will get it, and their probation work will, therefore, suffer.

The same principle holds true in regard to the part which probation officers play in many cities in neighborhood quarrels. All kinds of petty complaints are enter-

tained by the probation officer, who is occupied with adjusting affairs between Mrs. Jones' children and Mrs. Smith's children. In explanation, it is argued that the probation officer is the only officer who should do this, because he can do it much better than the police officer.

The extent to which probation officers should deal with cases unofficially brought to their attention depends largely upon local conditions. It is far better that a probation officer should deal with such cases than that they should not be dealt with at all. Many times he can give advice or warning, when trouble arises, which will prevent a child being brought to court. Many such cases complained of to the probation officer are, of course, adjusted very simply in this way without the filing of a complaint. *But no probationary treatment should be given by probation officers without bringing the child before the court officially.* Such practices as so-called "unofficial probation" of children who have never been before the court should be discouraged. With the great volume of work always before a probation officer, he must always bear in mind the fact that his chief work and responsibility is the care and guidance of the children committed to his supervision by the court.

There is still one other point regarding the authority of probation officers over children who are not wards of the court. It relates to the release of children from places of detention. Courts, without authorization of law, often permit the probation officers to release children to their parents or relatives on written promise to appear in court, the probation officer using his discretion as to which children should be released and which de-

tained. Some courts allow the sheriff, the clerk of the court, or the keeper of the place of detention to act in this capacity. That matter must be determined largely by local conditions. It may be stated generally, however, that the power to release a child pending hearing can with perfect safety be placed in a number of officials to the end that the child may not be unnecessarily detained.

RELATION TO LEGAL WARDS

The power of probation officers in relation to wards of the court is pretty clear. It is at least more definite than that over children not wards of the court. Most laws specifically give the probation officer the right to return a child placed in his care to the court for a violation of probation or parole. Where a court process is necessary to accomplish this, a summons should be used, whenever practicable.

The probation officer usually has a large discretion in determining what constitutes a violation of probation or parole. The practice in this particular differs greatly in different courts. Wherever the judge has made specific conditions of probation, as for instance, that a repetition of a boy's original offense requires his return to the court, the probation officer, of course, has no discretion. Many judges in putting a child on probation fix definite conditions, naming acts which in themselves will constitute a violation of probation. This gives the probation officer less latitude in working out the problems presented by the case along the broad general lines of the child's welfare and development. *With efficient proba-*

tion officers, little can be gained by a judge's making specific conditions of probation which may or may not promote the child's welfare.

The fundamental idea of probation suggests that the probation officer is to be the representative of the court in working out that purpose and, therefore, in judging when the process has proven inefficient. To be sure, the court may check up each child from time to time to discover how far probation is bringing results, but that is possible only in a court with comparatively few cases. *The different probation officers really have to determine for themselves the question of the success or failure of probation in each case.*

If a child steals, or runs away, or plays truant, it may or may not be a "violation of probation," in the sense that such act requires his return to court. *Since delinquency, after all, is not an offense, but a habit of life, the test of probation is not a specific violation of the code of right conduct, but a more or less habitual violation of that code.* If a child does better on probation than he did before he was brought into court, although he may still offend frequently, probation is succeeding. That is true too of conditions surrounding neglected children, in which the probation officer has to exercise the same discretion.

CONDITIONS OF PROBATION

One of the natural consequences of such latitude of action on the part of the probation officer is the power to make conditions of probation. This often becomes a very delicate function, for it involves the liberty not only

of the child, but of its family. For instance, the probation officer may recommend that a family move from the neighborhood in which it lives to one better adapted to the needs of the child, and may push such a request by requiring the child's return to court if they do not comply. Wise and sympathetic probation officers, however, will use such power discreetly, and the families of their wards will usually meet such suggestions with appreciation. It is true, after all, that a friendly relation is the chief test of a probation officer's work. If that relation exists, practically no suggestion will be resented.

A probation officer is often called upon to prohibit a child's selling papers; to advise when a child should leave school and go to work; to determine whether a child shall make reports at court or be supervised entirely by visits; to advise whether he shall go to the country for the summer. Indeed, the duties of the probation officer cover practically every activity of a child's life.

In cases of a difference of opinion between a family and an officer, or in the case of a very important decision, the best course is to take the case to court, or at least to get the sanction of the judge before acting. Such serious questions as changing from school to work, or sending a child away temporarily to relatives, should be brought to court whenever there is the slightest doubt or disagreement.

It is, of course, the duty of the probation officer, in every case, to get into intimate contact with the child, its family, and every factor which goes to make up its life. No probation officer can be counted successful who loses track of cases, or fails to visit or see children at

reasonably frequent intervals. Superficial probation work, which comes with too great burdens, is only too common in our juvenile courts. Far too seldom does the probation officer have the number of children and the number of duties which permit of adequate and painstaking care of each case. The probation officer has not only the duty of keeping in touch with each case, but of keeping in touch with it constructively — that is, of thinking out and planning for every child a course of treatment intended to bring it into thoroughly good habits and favorable conditions of life.

Section 4. Organization of Probation Work

There are two distinct methods of conducting probation work. The first exists in those courts in which the judge gives practically all his time, and in which he does much more work than pass upon the cases at hearings. In such courts the probation officer is virtually the " right hand of the court " and the judge is virtually the director of the probation work. In addition to hearing the cases, he has the children report to him after they are placed on probation. The probation officers make the investigations of school, neighborhood and home, and the judge uses them as the basis for his personal relation with the child itself. Under such a system, the officers are directed in practically all their activities by the judge of the court.

The other system is in vogue in practically all the courts in which the judge has other duties, serving in the Juvenile Court only to pass upon the cases presented to him. He usually has little or no connection

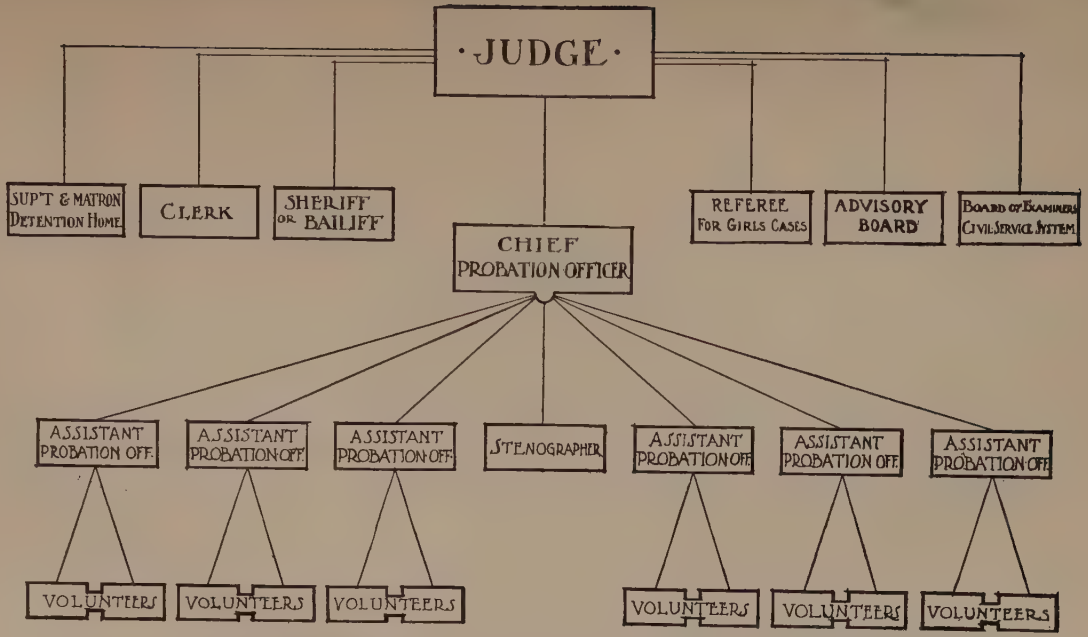


Chart Illustrating the Organization of a Juvenile Court

This chart illustrates graphically the organization of a juvenile court as suggested in this report. The scheme of organization is applicable to the small county as well as to the big city. The principles of organization represented will apply to any court. In some courts the officers here shown as appointed by the Judge are appointed by other officials. The clerk and sheriff are, in many cities, the deputies of an elective officer, and not appointees of the judge. They are, however, officers of the court and directly responsible to the judge. The same may be true of the superintendent or matron of the detention home. The chart includes the organization of a volunteer force as assistants to the regularly paid probation officers, and not as independent officers responsible only to the court.

with the actual probation work. In such courts (and in most of the large cities, this is the type of court we have) the probation department is more or less independent. In its detachment it is almost analogous to an institution to which the court commits children. A chief probation officer is responsible for the administration of the work of the probation office.

Under such a system the methods of organization of the probation office are important. The chief probation officer is directly responsible to the court. Through him the court gives its orders. Through him the court receives all investigations of cases at hearings. He is responsible for the work of his assistants.

THE OFFICE AND THE PUBLIC

The probation office, organized with a corps of paid probation officers, carrying on the work of investigation and supervision of children on probation or parole, is a public office which must be constantly at the service of the public. Such offices, usually in close proximity to the court, or to the place of detention, should be open all day long (at least from 8:30 to 5:30 o'clock) and one or two evenings of the week for working people who cannot conduct their business with the office during the day.

In smaller cities where there are only one or two probation officers, it is, of course, impracticable to keep the office open all day long, unless there is a stenographer or office assistant. Wherever the office is not open at all hours, the probation officers should have definite hours rigidly adhered to.

Some probation offices are confused, disorganized, and

generally unbusinesslike; the probation officers lounge about, the men often with their hats on or in their shirt sleeves. There is frequently reading of newspapers. Office hours are irregularly kept. "Swapping of stories" is popular, as well as smoking and gum and tobacco chewing. Such an office presents a discouraging prospect, from the point of view of the welfare of children.

Every probation office should be neat, orderly and businesslike. It should be accessible to the public. There should be one small waiting room, where the judge and the officers in interviewing their charges and others should have as near absolute privacy as possible. Open offices in which everybody can hear everybody else's business are undesirable. Loud talking and lack of common courtesies do not assist in making the Juvenile Court a popular institution. Such conditions do not harmonize with the ideals on which the court is based.

Attention and courtesy should be given parents, children and others in a probation office, just as would be the case in a well conducted business house, where success depends largely upon the courtesy and consideration with which it treats its patrons. *For instance, one of the chief abuses in juvenile courts and probation offices is in requiring parents and children to wait an indefinite length of time before their interview with the probation officer or their hearing in court.* The time of every individual is important.

HOURS OF WORK

Every probation officer should have a definite working day in which should be fixed the hour at which he or

she begins in the morning; the amount of time allowed for lunch; the hours during which he or she may be expected to be in the office and the hours outside. From that schedule there should be as little deviation as possible, and a time record should be kept by each officer and handed in at the end of the month. But this does not mean on the other hand a spirit of time-service or watching the clock. An annual vacation should, of course, be allowed each probation officer and some allowance of time made for sick leave. No chief probation officer should permit an over-burdened assistant to become worn out by work. It is better to insist that such an officer take a rest with pay than to go on working below efficiency level.

ESPRIT DE CORPS

An esprit de corps should be cultivated in every group of probation officers. Jealousy, gossiping, disloyalty or concealed criticism hurt the work. In many probation offices coöperation is developed by frequent conferences, usually weekly, in which the work in all its details is discussed. The chief probation officer asks for frank criticisms of the work, with suggestions for its betterment. Such conferences tend to eliminate all friction and to promote a strong successful type of work.

THE ASSIGNMENT OF CHILDREN FOR PROBATION AND SUPERVISION

The method of assigning the children placed on probation by the court among the various probation officers varies in different places. Two systems, generally speak-

ing, are found: (1) the district system, by which the community is divided into geographical districts; and (2) the individual assignment system, under which children are assigned to officers on the basis of each officer's qualifications to handle a particular group of children.

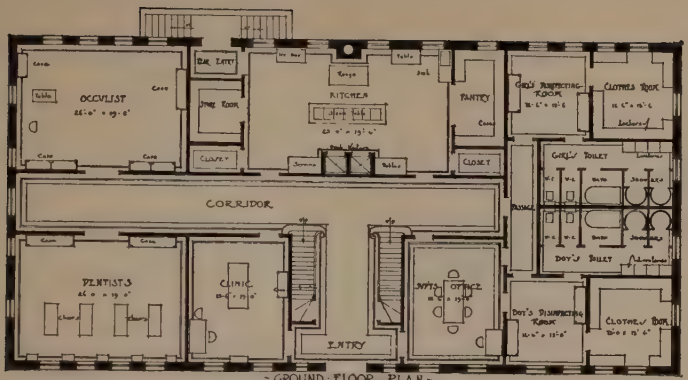
Under the district system, the assignment is comparatively simple, for the chief probation officer merely assigns the child to the officer in whose district he happens to live. Under the other system, the chief probation officer assigns the child to officers according to their personal qualifications to handle a certain kind of case. The only other methods in force are modifications of one or the other of these, or a combination of the two.

THE SYSTEM OF "INDIVIDUAL ASSIGNMENT"

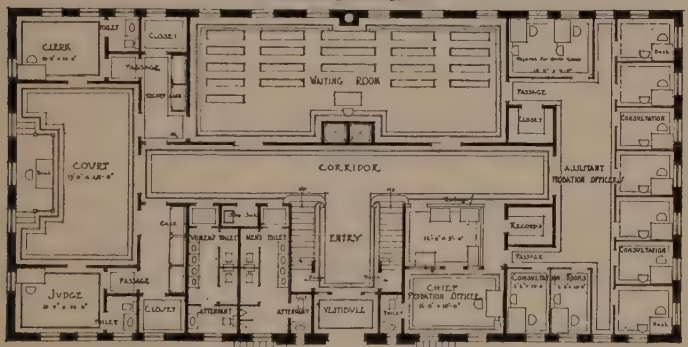
This system is built upon the idea that the process of probation is essentially personal and that it is necessary, therefore, to bring the officer and the child into as close and sympathetic a relation as possible. Therefore, the system naturally prevents the assignment of girls to men officers, or the assignment of large boys to women, or, where there is a considerable colored population, of colored children to white officers, or white children to colored officers. It, of course, also covers the assignment of foreign-speaking families to officers speaking their language.

Granted a corps of paid probation officers of approximately equal ability, the natural division of the groups of children among them is as follows:

(1) *Delinquent Children:* The delinquent girls should be assigned to women officers. Delinquent boys:



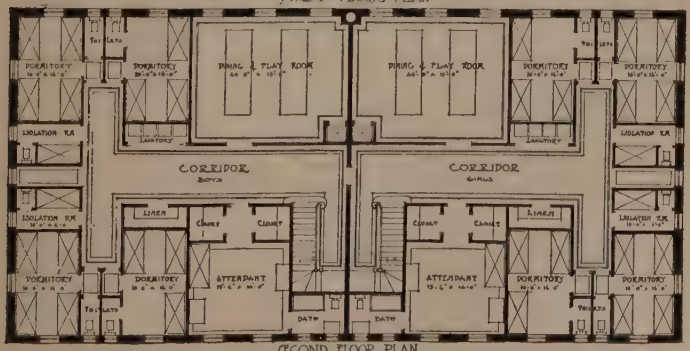
- GROUND FLOOR PLAN -



A CHILDREN'S BUILDING
SAINT LOUIS MISSOURI

FIRST FLOOR PLAN

I. A. BEAUME & KLEIN
ARCHITECTS
SAINT LOUIS



SECOND FLOOR PLAN

Plan for a Children's Building

the larger boys of adolescent age to men officers, the smaller boys principally to women.

(2) *Neglected Children:* Neglected children of practically all ages should be assigned according to the family problem involved. Men are usually better able to handle cases in which the father is the difficult factor, and in cases in which for any reason visits have to be made at night. In cases of neglect involving girls, or cases in which the chief problem is the mother, women are, of course, more suitable.

Especial emphasis is often placed on the importance of having colored officers for colored children. Such assignments are certainly very desirable, when efficient workers can be obtained — and there are excellent colored probation officers — but except for paying deference to public sentiment there is no greater (if there is as great) reason for such assignments than there is for having officers who can speak the language of immigrant parents.

These, in brief, are the main groups for assignment, necessitating in any court at least two or more officers, according to the number of children to be cared for. Even in a small city in which the full time of only one probation officer is necessary, it is better to secure two officers — each on part time — one man and one woman — in order to meet the diversity of cases presented; or, if that arrangement is impracticable, the need can be met through the assistance of volunteers.

The desirability of employing a colored officer naturally depends on the number of colored children at any time under supervision. *It is much less necessary to draw the color than the sex line.*

It is inconceivable that effective probation can be done under a system whereby men officers are responsible for the training, protection, and welfare of girls, most of whom have been brought into court for offenses against morals; or, under a system where mature boys with all the problems of young manhood are under the supervision of women officers.

It is a serious reflection on the intelligence of some of our juvenile courts that men officers are still permitted to supervise delinquent girls. It has been urged in defense of the system that such courts employ only "the kind of men who are big enough and broad enough to act as the counselors and guides of girls as well as boys." It needs but ordinary common sense drawn from the home-life of any family of boys and girls to refute entirely such an argument.

The system of individual assignment on the basis of personality is the only logical system in communities in which the distances to be traveled permit an officer to get around to different parts of the city or county without a great loss of time. In one city, for instance, no officer is allowed to spend more than seven or eight hours a week in walking or on the street cars. If an officer's time in travel exceeds this, arrangements are made whereby cases in outlying portions of the city are transferred to other officers who can cover them without loss of time. This is very seldom necessary, however, because the ordinary assignments are based partly on geographical location in the case of children from outlying districts. The assignment of girls to women officers of course is rigidly adhered to.

THE DISTRICT SYSTEM OF ASSIGNMENT FOR PROBATION AND SUPERVISION

The district system consists of a number of districts with one officer in charge of each district. Under this system when a child is to come to court, the officer in his district makes the investigation, appears in court, and, if the child is put on probation, receives him or her automatically for supervision. Where there is only one officer to a district, as is usually the case, the result is inevitably to put girls under the supervision of men, and large, matured boys in the care of women; and colored children under white officers and white children under colored officers. In several cities the system has been modified somewhat to avoid these difficulties, so that in each district there is now usually both a man and a woman probation officer. The men take charge of the older boys and the women the girls and neglected children. The colored officers take the colored children only.

While these are the chief disadvantages of the district system there are also other disadvantages occasioned by necessary transfers from one officer to another as families move from one district into another. This is, perhaps, not serious, because comparatively infrequent, but it is an objection which, of course, cannot be made at all to the individual assignment system. In the three or four very large cities, where some division by districts is a necessity, the modified district plan seems clearly to be the more advisable; that is, to have at least two officers — a man and a woman — instead of one, work in each district. Under that system, the serious objections to

the single officer district system are done away with, and a closer and more rational relation established in the assignment.

THE NUMBER OF CHILDREN TO EACH OFFICER

If probation is to succeed, it is important not to place too great a number of children in charge of one officer. There is hardly a court in the country which does not admit that its officers are over-burdened with an excessive number of cases. In most courts, besides having children on probation, the officers have clerical and investigating work to do. Courts should, however, be so organized and equipped that probation officers have practically no clerical work to do, and investigations should be made by officers especially assigned to that work. Officers charged with the supervision of children are thereby left with their entire time to devote to it. Under these conditions, an officer working eight full hours a day, and not spending more than seven or eight hours a week in travel, can usually look after 75 to 100 children. Vigorous officers who understand their work easily supervise 75 children, and some officers of extra vigor and businesslike methods, can work efficiently with 100 children. Much, however, depends on the composition of the group in charge of an officer. The figure given averages the variety of cases which come under supervision. A large proportion of neglected children reduces the number that can be handled. The problem of building up the home of neglected children requires much more time. It is difficult for an officer to supervise at one time more than 50 to 60 neglected families.

ASSIGNMENT TO VOLUNTEER OFFICERS

In a number of courts the work of probation is conducted chiefly by volunteer probation officers, these officers being sworn in by the judge of the court as regular assistants receiving no pay, or unofficially helping the court without authority of law. By volunteer officer is meant not the person who devotes a large amount of time to the work and receives no salary, for it is not after all the receiving or not receiving pay which makes the difference. The difference is that the volunteer officer usually undertakes the work of probation as an incident to other work, while the paid probation officer regards probation as his or her chief business.

The volunteer officer, therefore, is a comparatively untrained person without the continual daily experience with court children which gives the paid officer much of his or her ability. The volunteer system has been regarded in most communities as a make-shift precedent to a system of paid officers. In only one or two communities is the volunteer officer regarded in any other light. In these communities it is held that the volunteer officers furnish a type of friendliness and interest in children which a paid probation officer with his "professional point-of-view" usually does not possess. Friendliness and interest in children, however, are entirely dependent on the personal qualifications of the individual, and have little or nothing to do with payment for services. No really interested officer becomes coldly professional, as the advocates of the volunteer system would have us believe. There is no force whatever in that argument.

From an administrative standpoint, the use of volunteer officers presents a difficult problem. Difficulties are met at once in enforcing the responsibility of such officers to the court and in control over them by the court in the handling of children. Some volunteer officers are easy to hold to their responsibilities — especially such persons as school principals, school teachers, visiting teachers, public officials, policemen, firemen, charity organization workers, a settlement head or a boys' club leader, many of whom are highly qualified for the work. Most frequently, however, the volunteer officer is not trained to deal with children, and can be held to definite responsibility only by incessant oversight. Society women, business men, students — all of whom enter the work of the juvenile court from motives of sentiment and interest — are too seldom fortified by any real knowledge or experience.

Volunteers are usually an unsupervised (or very slightly supervised) body of men and women selected by reason of their good intentions. Their work is not carefully followed. Most of them cannot give time to more than one or two children. Their work is often interrupted by long absences from the city in summer, by diversions and cares to which the paid officer is not subject, and very often by carelessness or lack of real interest in the children assigned to them. In consequence, many children are lost track of, and probation loses in educational force. *It is ridiculous that at a point in our social system at which children need the most careful education and discipline, we should entertain seriously the proposition of putting them into the hands*

of untrained, and more or less irresponsible supervisors.

Such work is irregular, unsystematic and difficult of direction by the court. The volunteer's relation with children is superficial, and the methods haphazard. There might be satisfactory probation by volunteers if a system could be so organized that the court could direct them all, if they could get the benefit of long training and continuous experience in court work, if they could get the benefit of each other's experience by close contact, if the point-of-view of the whole group could be much the same, and if the group could represent a united, coherent and intelligent force. We know no example of a volunteer system which approximates this conception.

The use of volunteers who are qualified to assist, is entirely successful when carefully supervised by paid officers, or, in some cases, by the court. It is of great benefit when a group of probation officers become overcrowded in their work, and of equal, if not greater, value in rural districts where the paid officers cannot hope to cover widely-separated centers of population.

Volunteers to *supplement* regular probation officers as distinguished from being used in the least degree as a substitute for them are under certain circumstances of great value. For example, a volunteer detailed to coach a child who is backward in school or to give music lessons or boxing lessons, in addition to the full service of the regular probation officer and under his close supervision and control, may materially increase the efficiency of the probation service, not merely by what he teaches — the teaching serves more as a point of contact or in-

troduction or entering wedge — but by bringing into the treatment of the case an additional, helpful, friendly element as different from what any probation officer can supply as the element which is brought by the visit of a friend to the patient is different from anything supplied by the nurse, no matter how refined, intelligent and congenial she may be. Great care, of course, must be taken to make volunteers used in this way realize fully the limitations of their service and keep them in their place.

VALUE OF PRIVATE ASSOCIATIONS ASSISTING THE COURT

What has been said about volunteer officers applies, of course, to those volunteers who are styled "Big Brothers" and "Big Sisters." When a boy has been adjudged in "need of the guidance, protection and care of the State" *it is a questionable proposition to turn him over to an untrained volunteer for a training which is intended to redirect his course of life, and which should be even more thoughtfully and skilfully adapted to his needs than the education of the school, which has failed fully to guide him.*

In the discussion on the use of volunteers, the authors have sought to emphasize the position that unsupervised volunteer probation service has not succeeded and in their opinion cannot succeed. This statement, however, should not be taken as applying to certain forms of volunteer activity that have been of material assistance to the court. Chicago furnishes perhaps the best example of volunteer citizen aid.

When the juvenile court law of Illinois went into effect July 1, 1899, it made no provision for the salaries of pro-

bation officers, nor did it provide for any place of detention for children, although it expressly stated that they should not be confined in jails or police-stations. A committee of women, called the Juvenile Court Committee, undertook to and did provide the money for the salaries of twenty-two probation officers, whom they maintained for six years. They likewise secured and maintained a detention home for this period. In 1905 this committee was instrumental in securing the legislation which placed probation officers on the pay-roll of the county under civil service examinations, and they further induced the city and county to build and equip the present juvenile court building and detention home in the City of Chicago. The committee in question subsequently became what is known now as the Juvenile Protective Association, its main object being to decrease the number of children brought into the Juvenile Court, and through protective methods to minimize the danger which surrounds children. The association has divided the City of Chicago into 14 districts with a paid officer and local league of interested citizens in each district. It deals annually with about 6000 children.

As bearing upon the preventive work of the association, it has made a study of 1000 girls employed in factories, offices, department stores, restaurants and hotels. It has undertaken a survey of illegitimate children, of children selling newspapers, gum and merchandise upon the streets, of the colored people of Chicago, of 328 dance halls and 606 theaters, of certain outlying beer-gardens and amusement parks of Chicago, of a large number of bastardy and abandonment cases, and recently of boys

between seventeen and twenty-one years of age who were confined in the county jail. Through its efforts the Mayor of the City of Chicago appointed 10 women police officers who have been assigned to look after the dance halls, in consequence of which the conditions there have been greatly improved. The association has been a powerful agency in the development and maintenance of many other social activities, all of which touch at some point the work of the Juvenile Court. It employs 28 people, expending annually $30,000, all of which is raised by subscription.

POLICEMEN AS PROBATION OFFICERS

In some communities policemen have been appointed probation officers to supervise children. If probation is a process of "education by friendship," the use of policemen is hardly to be commended. The police represent the idea of compulsion, not the idea of education. Very few policemen are qualified to draw out the finer qualities of a child by friendship and persuasion, and to reconstruct the forces which guide him. For that reason, the police probation officer, even without his coat and brass buttons, cannot be expected to take the place of the trained probation officer.

TRUANT OFFICERS AS PROBATION OFFICERS

In some communities, the truant or attendance officers of the schools have been appointed probation officers to supervise children on probation. There is somewhat the same difficulty in this as in the case of the police, since the truant officers are commonly looked upon by children

as a sort of children's police paid to catch them in wrong-doing. They usually do not inspire the same feeling of friesdship that is inspired by the probation officer whom children know, only after they get in trouble as a solicitous and encouraging guide.

Perhaps the most serious objection is that so far in most cities the attendance or truant officer is trained to deal with individuals, not with families, with specific offenses rather than the conditions which make for offenses. The future development of the work of the attendance or truant officers is doubtless to be along the same lines as that of the probation officers. It is suggested that, in that event, not only will attendance and truant officers actually do probation work, but by covering all schools thoroughly, work out the problems of " odd children " so as to prevent their cases ever coming to the court. In rural districts it is highly desirable to secure a skilled worker to act as both attendance and probation officer. There is no need of specialization of functions in small communities.

COURT OFFICERS AS PROBATION OFFICERS

In some courts children are placed on probation to the clerk, sheriff, prosecuting attorney or other officer of the court. There is no more justification for such assignments, from the point of view of the good of children, than there is in the assignments to police officers. Practically no court officer, except the probation officer, represents the interest, ability or experience demanded or has the time for the delicate problems of the care of children on probation.

ASSIGNMENTS TO PRIVATE SOCIETIES

There is in vogue in some communities a system of assigning children to charitable societies or children's societies for supervision. In the case of responsible and well-conducted societies, this supervision is usually accomplished well by paid agents. But under this system, the work cannot be controlled by the court, is not uniform, and, of course, ceases to be essentially a function of the State. The parent is obliged to maintain a double and confusing responsibility to a society and to the court. But one of the most objectionable features is the fact that such assignments are usually made on the basis of religious affiliation — the Protestant children being supervised by Protestant societies, the Catholic by Catholic, and the Jews by Jewish societies. As long as a child lives in a home of the same faith as its parents (and it usually lives with its parents), religious influence and education can be well provided for there. Very often religious distinctions in the assignment of children take precedence over assignment on the basis of sex.

Section 5. Probation Methods

Legally, probation begins when the judge writes on his docket or notes on the petition that a child adjudged delinquent is placed on probation, and notifies the child and its parents that he is under the care of the probation office, that he is expected to follow the probation officer's directions, and that the probation officer has authority to bring the child back again into court, if conditions advise it. In the cases of neglected children, probation

takes the form of supervision, but no directions, of course, are given to children, although they may be given to parents. In neglect cases, the parents are really on probation. *In this discussion, the function of probation is treated entirely as applying to delinquent children.*

Following the court finding, the judge or probation officer usually gives the child a card notifying him officially that he is on probation, instructing him to make a report in the near future, and naming the time and place of the first interview between himself and the officer to whom he is assigned.

The work of supervising a child on probation consists of two rather distinct functions: first, the child's reports in person to the probation officer, usually at the court or probation office; and, second, the probation officer's visits to the child's home, his school, his employer and his neighborhood, to study the factors of his daily life. These visits are much the more important of the two functions, for through them the officer learns the significant facts from which spring the remedies he seeks to apply to the particular problem of delinquency.

The child's reports at the court or probation office, however, have a distinct educational value and are so characteristic of the probation method that they are discussed first.

COLLECTIVE REPORTING BY CHILDREN

In most courts in which the judge acts also practically as chief probation officer, as well as in some courts where he does not, there is often found a system of *collective reporting;* that is, the boys assemble together at

the court on a specific morning, afternoon or evening of the week and are addressed by the judge or probation officer. After the talk is concluded, the boys are often questioned or spoken to individually. The meeting is in the nature of a lesson and the boys are dismissed to come together again at a later day. In one court, for instance, the boys came to see the probation officer at his office "socially." They were encouraged to play games and make themselves at home, so that many other than court boys came. A regular boys' club was established at the court with probation as the reason for its existence. Any such features should be discouraged, because it creates an entirely false idea of the court's purpose or methods. It hardly seems as if collective probation could have any real value in the light of the clear need of treating each child individually. Children with widely-varying individual needs must be helped by well-studied and well-thought-out methods, differing as the needs differ. *Collective probation can never reach the individual child as does a method by which he is brought into close, personal and sympathetic contact with an officer of the court.*

THE INDIVIDUAL REPORT

Of course, the contact of the child and officer in the limited time of a report is more or less superficial, and so far as an actual knowledge of a boy's habits can be obtained, is much less satisfactory than a visit to his home and neighborhood. As a part of the careful, scientific working out of a child's troubles it is unessential. However, it inspires in a boy the feeling that he is obligated at

a definite time and place to account for his conduct to a person who he knows has the authority to hold him accountable for wrong-doing, and a person, too, who he knows has his welfare at heart, and who would prefer anything to seeing him do wrong. *The chief justification for the reporting system is, therefore, the feeling of obligation and responsibility it develops in a boy's character. The boy gains more by making the effort to go to the probation officer than if the probation officer always came to him. The right frame of mind for the boy is that he should seek the probation officer — not have the probation officer seek him.*

It is difficult, however, to instil such a conception of responsibility into the minds of little boys. *It is, therefore, inadvisable to adopt the reporting system for boys under nine or ten years of age. For the same reason it is inadvisable to require children who are mentally defective even to a slight degree to report. In the case of girls, the reporting system can be of practically no value.* Indeed it would likely be positively harmful in most cases for it would bring girls alone from their homes through the streets on foot or in a street car to a public office, and in so doing afford them many chances of forming doubtful associations. *The older boys, therefore, are alone much benefited by the reporting system.*

Under the district system in the larger cities, reports are usually made at some designated place in each district. In smaller communities, where the district system does not obtain, reports can be most conveniently received at the probation office itself. Reports should never be made at police stations or in the vicinity of a criminal court

building where children would come into contact with an undesirable class of adults, or at any other place where the influences are not the best. Very often reports are made in company with one or both of the child's parents, when the probation officer finds it necessary to have an interview with a child and his parents away from home.

Occasionally probation officers allow children to come to see them at their homes. In exceptional circumstances, this may be allowable, but it should not become a regular place of meeting probationers. As in other matters of methods, no hard and fast rule can be laid down; much must be left to the wise discretion of each officer.

THE CHARACTER OF THE REPORT

When a school child reports he is usually required to bring with him some evidence of conduct. That evidence usually takes the form of a card from the school teacher or principal with a statement of attendance, conduct and scholarship. There is often also a written report on a card-form from one of the child's parents, stating his or her observations as to the child's conduct. In one court where this system is followed, both these cards are required with practically every report. They are noted, stamped "received," and signed by the probation officer, and the child asked to return them to his parents and school teacher to show that the probation officer had received them and noted them. Any return message to parents or teachers is also written on the card. Thus, with a very large number of children, it is possible for over-burdened officers at least to keep the contact

between school, home and probation officer fairly close, and to assure the school and home that the child has made his report and kept in touch with his probation officer. *But even the very best reporting system is not to be considered in any degree a substitute for visits to home, school and neighborhood. It is at best only a supplement to these visits.*

PARENTS' REPORTS

The parents' reports do not usually contain information of much value, but are a means of keeping parents in close touch with the probation officer, and of making them feel a much more personal interest in probation. A parent who writes to the probation officer every time the child makes a report, feels that he or she is helping the court in solving the child's problems. In other circumstances, the parents feel that the court is helping them with their children, and the exchange of a few written words serves to keep the relation close. It serves also the much larger purpose of impressing upon the child's mind the fact that the court and home go hand in hand, that the court jointly with the father and mother is working to make things go right. The child should be conscious of unity of action between parents and the court.

SCHOOL REPORTS

The use of school reports has often been criticized on the ground that the teachers do not, as a rule, take a really personal interest in exceptional children, and their reports are, therefore, perfunctory. It is objected also

that many teachers carelessly spread through the school the fact that a particular boy is a "Juvenile Court boy," and hold him up as an example. The experience of most juvenile courts does not bear out these objections, and demonstrates on the contrary that school teachers, as a rule, are discreet in such matters and take exceptional interest in court children who need special attention. Their reports are probably the most helpful which come to probation officers. In exceptional cases where the teacher does not show a helpful interest, arrangement can usually be made either for a transfer to another teacher or another school, or for reports through the principal.

EMPLOYERS' REPORTS

Some juvenile courts have adopted a system of reports from the employers of children who are wards of the court. *This has been found to be a very questionable practice.* Employers become annoyed and often discharge a child who may not be satisfactory. It is difficult to arouse the interest of employers in the work that the juvenile court is trying to do, and reports from them are usually of less value than reports from school or home. It is only in exceptional cases, and then chiefly in those in which the employer has been interested in the child before giving him employment, that such reports are valuable.

OTHER REPORTS

In some communities, reports from Sunday School teachers or clergymen are received at the probation office. Most Sunday School teachers or clergymen do not come

into close enough contact with their charges to know how they are really doing, and the reports, therefore, are of little value. In the infrequent cases in which the contact of a Sunday School teacher or clergyman with a child is continuous and close, their reports are, of course, of great assistance. No extensive system of reports, however, from churches or Sunday Schools is likely to assist materially in the work of supervision. Personal coöperation in a given neighborhood between probation officers and clergymen or priests is more likely to be fruitful.

THE INTERVIEW AT THE TIME OF THE REPORT

Granting the usefulness of a child's making a report at all, and the usefulness of these various kinds of reports, the question naturally arises as to what sort of interview is most effective at the time of the report. *It is essential, first, that the child should make his report to the officer alone and that no other officer or children should be within hearing distance. There should be no hurry about it; it should be an easy, personal, confidential talk, not so long as to tire either the officer or the child, nor so short that the child is not impressed with the thoroughness and the deep interest of his probation officer. Ten to twenty minutes is a reasonable length of time for the purpose.* Sometimes the business can be completed in five minutes, and on occasions it may have to be extended to an hour.

Privacy and informality are the first essentials to success. The officer should usually begin with commonplace inquiries. Thus he gets the child to talking easily, telling of things in which he is interested, perhaps speaking

of his pets, or of the last ball-game, or what the "kids" did Sunday, or how he likes his new teacher. From that he goes on to an examination of the reports, together with more intimate questions about the situation at home, about affairs at school, about the exact manner in which evenings, spare time and Sundays have been spent, thus accounting in a quiet, confidential, friendly way for all the facts of the child's life in the period intervening between reports.

When reports are satisfactory, there should be commendation. In any case, directions should be given as to what is to be done before the next report. The successful probation officer does not "preach" to a child at this time. He devotes very little of the interview to talking himself, but most to drawing out the child and getting him to do the talking. In this way, the officer gets an idea of the child's progress and environment, by which he can formulate his remedies. The success of the interview depends largely on the child's looking to improved conduct — the personal inspiration of the officer as friend and guide.

In some courts the report is accompanied by certain definite tasks. For instance, boys who have violated certain municipal ordinances, have to report with copies of the ordinance written out a certain number of times. Such tasks may serve to impress upon the mind of the child the nature of the law violated, and in certain well-selected cases doubtless have helpful results.

FREQUENCY OF REPORTS

The frequency of a child's reports should be regulated by his conduct and progress. There is no real need for establishing fixed intervals, as is done in many courts where probationers report every Saturday or every Thursday during the period of their probation. Practically all successful systems of probation are indeterminate — that is, they last just as long as a child needs to be supervised, and the amount of supervision depends on the need of the individual child. Thus some boys may need to report or see their probation officer every day, others may require it only once a week, or once in every two weeks. A boy who needs probation at all needs to see his officer at least once a month, even toward the end of a successful probationary period.

If a child does well the frequency of reports can be gradually diminished, until after observation the officer is assured that the child has been cured of his delinquency, and he may be discharged from probation by the court. A fresh delinquency may, of course, break out later or a state of delinquency set in. A new period of probation would then have to be established, and the process repeated.

IRREGULARITIES IN REPORTS

What has been said about reports is based on the assumption that they are actually made. The chief difficulty, however, in most courts is that many children fail to make them. These irregularities present many difficulties. If the boy fails to appear on the expected day,

usually a post-card or some other form of notice should be sent him the same day, giving him one or two days in which to appear. If he then fails the probation officer should go to his home and find out what the trouble is, or if it is possible to get in touch with him by telephone, ascertain the difficulty at once by that method. It is essential that a failure to report should be followed up immediately by some form of notice by means of which the officer will get in immediate touch with the child, because the most serious situations naturally arise at such times as children fail to report. In the case of forgetful children, greater frequency of reporting will generally bring them to a recognition of its importance. Boys are frequently obstinate and refuse to report, or are wilfully neglectful. When a probation officer has exhausted his resources in an endeavor to persuade him to come, the chief probation officer or judge should be notified, that he may use his efforts on parent and child to secure compliance. If even then it is impossible to get the child to report regularly, there should be a court hearing for violation of probation. A failure to reach a child at all is a sure indication that the question of terminating probation should be considered by the court.

Section 2. Visits to the Home, School, Church, and Neighborhood

The use of visits in probation

The influences which a probation officer brings to bear on a child in its own home and neighborhood are ordinarily of much greater importance than the influence

of personal reporting to the officer. In fully half, if not more, of the cases handled by a probation office, the work of supervision and direction has to be *entirely* done through visits to the home and neighborhood. The reporting system is not adapted to little boys, neglected and dependent children, or girls, and their supervision must be accomplished entirely by visits to the home, school and neighborhood.

On the other hand in the cases of certain delinquent boys old enough to report with profit to the probation officer, the visit is unnecessary. Such are boys whose home conditions are excellent, but whose personal conduct has to be supervised,— most easily, of course, through the reporting system. For instance, the court may have disposed of the case of a boy speeding an automobile by prohibiting his using an automobile for six months or a year, and placing him under probation for the purpose of seeing that the condition is carried out. In such an instance, the visit is of no consequence, because no social factors are involved in this delinquency. These, however, are not cases of real probation, with its social and educational processes of reconstruction.

FREQUENCY OF VISITS

The frequency with which the probation officer should visit his or her charge depends on the seriousness and necessities of the case. Some may need attention every day for a time, and others after being set straight may not need a visit oftener than once a month. Under either the district or individual assignment system, officers naturally group their cases largely according to locality, in

order to visit those nearest together with the least possible loss of time.

WHO SHOULD BE SEEN

Visits should, of course, be entirely unannounced, unless there is some special reason for seeing a member of a family, who is not likely otherwise to be at home. When the father has to be seen, for instance, it is often necessary to appoint a time in the evening or on Saturday afternoon or Sunday.

Many probation officers fail to make the acquaintance of the fathers of the children in their care during the whole period of probation. It is generally a little difficult to get in touch with a father, but he is often the key to the whole problem. Probation officers should make an effort to have at least an acquaintance with the father of every child in their care, whether or not that acquaintance can be carefully followed up by close coöperation with him.

In dealing with cases of delinquency, it is necessary on practically every visit to see the child, because the personal influence of the probation officer is a very important factor. In cases of neglect and destitution, the child usually needs least personal attention. With this difference, however, the character of work in the home and the neighborhood in the cases of both neglected and delinquent children should be practically the same.

The usual home visit is intended to get information as to how affairs have been going in the child's home; what the actual conditions are, and in case of a delinquent child, what its conduct has been. In dealing with

delinquent children, the emphasis of the work is rather on assisting the parents in bringing up their children; while in dealing with neglected children, it is rather on assisting the children to better care by their parents. The home is usually the chief concern in the one case, the child in the other. Of course, it is impossible to draw any hard and fast line, because there are many cases combining both delinquency and neglect, where home and the personal conduct of the child are of equal concern.

In getting information from either parents or children, it is not wise policy for probation officers to conduct their inquiries in the presence of children. This practice tends to lessen respect for parents. It often gives children a knowledge of facts which it is not well for them to have.

Besides ascertaining conditions, the probation officer usually also makes certain suggestions, and outlines certain lines of conduct in the case of delinquent children. The visit, therefore, consists of two factors: (1) securing information; (2) the plan of guidance based on that information.

SECURING INFORMATION

Information should be secured in most cases directly from the parent. The general appearance of the home should be taken into consideration. Delinquent children should be interviewed either at home, if the visit is made out of school or working hours, or, if necessary, at the school, and in some cases at the place of employment. The place of employment is usually at a considerable dis-

tance from home and, therefore, is not ordinarily a factor in the home and neighborhood visit.

In some cases when adequate information cannot be secured from the family, it is helpful to question reliable neighbors, shop-keepers, or the police. *Such inquiries, however, need to be made with the greatest care, in order to avoid arousing the hostility of the family to the probation officer.* Neighborhood investigations are only too often made in an unwise and tactless way by probation officers who forget that their real strength lies not in the power which the court has over parents and children, but in the use of the same human qualities which characterize helpful relations between people generally. The power of the court and the law behind the probation officer is recognized easily enough by parents and children, without parading it officially before them.

In the case of school children, it usually pays in time and results to combine the visit to the home with a visit to the school, generally nearby. At the school the probation officer should, of course, see the teacher in immediate charge of the child and should see both her and the child privately so as not to single out court children before the others. *For that reason it is always a bad practice for a probation officer to enter a school-room.* In cities where the schools have telephone systems, part of this supervision can be accomplished by telephone communication with the principal or teacher.

The knowledge that a child is a ward of the court should be confined to as few persons as possible. It is always a handicap, open to all kinds of misconception and

misconstruction. Most children are sensitive on the subject themselves.

UTILIZING INFORMATION

To utilize information skilfully in the constructive work of probation demands long training and experience on the part of the probation officer. This is the most difficult part of the probation officer's work. *It is the physician's prescription following diagnosis. It presupposes tact, discretion, patience, and, above all, a thorough knowledge of the manifold ways in which to meet adverse social conditions in a modern community. In every case the probation officer should work out in advance a plan to be followed in bringing a particular case to a successful conclusion, and weaning it from the necessity for supervision and direction.* With this general policy in mind and with the goal clear, the information secured in each case will naturally suggest from time to time the details. *It is usually advisable to make simple suggestions, a few at a time, but frequently.* Exhaustive instructions to parents or children are easily forgotten. The fewer "instructions" the better. Friendly suggestions made clear and their wisdom acknowledged constitute the right method.

In some cases, the probation officer has to consult with many persons who reach the child outside the home. Certain points have to be emphasized at school, the police in the neighborhood may be asked to keep an eye out, particularly when a child is one of a gang; the playground instructor has to be seen, to make sure a child comes with regularity and gets a little extra attention

each day. In many cases a settlement nearby can be enlisted to see that our Johnnie's particular needs outside of school are met through a boy's club. Relations with church and Sunday-School may be established. The public library or its branches afford another means of helpful contact, especially where there are rooms under the charge of children's directors, who will take a personal interest in the needs of special children.

It is in this relation to other agencies that the probation officer finds the greatest help. This is true of both general community agencies like those just outlined, or special agencies for particular troubles. The tuberculosis society may be interested in the family, a relief society may be giving aid. *Where several agencies are helping, it is essential that the work should be closely related, and each worker's part made clear.* This presupposes some formal organization such as is characteristic of well-organized charity organization societies. In the first instance there should be a registration of all families at a central office, and then a confidential exchange of information in regard to families helped by two or more agencies.

This secured, the representatives of the different agencies interested should come together to determine a constructive plan of work. Wherever organized registration of families does not exist, the probation officer should lead in bringing together the other interested agencies to work out a plan for a given family. A large part of a probation officer's work, particularly in cases of neglect, is the focussing of all the social forces in the community upon the cases in his or her care.

Many probation officers undertake a great deal too much work themselves. Where they see distress and need they are too likely to attempt to meet it without reference to other agencies. There are many instances of probation officers raising funds to assist families; of busying themselves with getting jobs for members of the family not in their care, securing nurses and physicians in cases of sickness, all at a sacrifice of their proper work. *Such needs should be referred to constituted agencies for solution.*

But there are exceptions to the rule. Sometimes a probation officer can win the confidence of a family by doing just such a good turn as this, and for the purpose of getting a sympathetic hold on the family, he is entirely justified. *But every probation officer in the country is enough occupied with the immediate work of the court to keep busy all the time. Instead of assuming unnecessary burdens, officers should be always on the alert to call to their aid every constructive agency in the community.* The probation officer can do a great deal to strengthen these agencies by constantly pointing out the needs which they should meet. *The court is weakened when probation officers themselves do work which appropriately belongs to other organizations.*

There is, however, a related but quite different function for the probation officer in bringing delinquent children particularly in touch with various agencies of the community. For instance, a boy may be frequently away from home evenings on the streets, difficult to interest in anything at home. He usually, however, can be

aroused to an interest in "blood and thunder stories," and by beginning with some fairly yellow sample of boy literature, he can be led on gradually from the more undesirable stories of adventure to those of an entirely legitimate character. As his interest grows, a library card can be secured for him, and he can be developed into a regular patron of the public library.

There is the problem of the working boy who is spending his money on foolish amusements and useless trifles. He can be aroused to desire things of lasting value that cost money — a bicycle, for instance. But he must have some definite means for saving. Thus the probation officer might introduce him to the United States Postal Savings Bank, or arrange with other savings banks for starting such accounts.

An effective way to get at a boy is to know his companions. Some probation officers make a business of knowing their probationers' friends, and in a friendly way develop the activities of the whole group. When boys are tied to a gang — an almost inseparable unit — this method of treatment is essential.

Probation officers should encourage on the part of every boy the pursuit of athletics in some form. Every boy needs healthful directed play and organized recreation. *The question of health should be constantly considered. The probation officer should see that any physical defects are attended to, preferably through the boy's parents and family doctor. In every doubtful case he should make sure at the beginning of a boy's probation that he has a thorough physical examination. In cases of adolescent boys cautious instruction in sex hygiene*

should be secured, preferably through the parents and family doctor.

The methods suggested in the care of children under court supervision may seem to some too detailed or too paternal. But it is only by attention to details that children's habits can be directed, and family life reconstructed. Surely, the court is a "parent" in its process of probation.

Probation officers need to guard, however, against unwise exhibitions of interest in their charges. Such indulgences as sumptuous dinners or the gift of money should be avoided. Volunteer officers are frequent offenders in this respect, on account of sentimental rather than wise interest in their probationers.

Special Problems in Probation

Probation among foreign-speaking peoples

The peculiar problem in dealing with foreign-speaking peoples arises not so much from difference in race and tradition, as it does from the perfectly obvious difficulty of fully understanding them, unless, as is very rarely the case, the probation officer speaks the language of the foreign population with whom he deals.

Where there is a large foreign population of one nationality, in Chicago and New York, for instance, where there are so many thousands of one nationality, there should be a trained probation officer for each nationality.

In smaller communities, where we cannot hope to have one probation officer for each nationality or race, the

problem of contact becomes difficult. Experience shows that the question of whether the relation should be established through professional interpreters or neighbors, or children, will have to be decided by the common sense of the probation officer and the means at hand in each case.

Sometimes, in very delicate cases, where it is absolutely necessary to have important facts accurately, a professional interpreter is necessary. Usually matters of such importance should be heard not by the probation officer, but by the court.

There can be little or no objection to using neighbors or even children to interpret on ordinary occasions. Most foreign neighborhoods have some volunteer interpreter who is willing to assist, and who can be relied upon. The questions usually asked are such as not to involve any embarrassment to the family among neighbors, or to risk one child's knowing too much about the troubles of another. The objections to using children as interpreters are: first, the danger of undermining the authority of the parents by placing them in a position of dependence upon the children; and, second, the undesirability of having one child talk about the business of another.

As to the first of these objections, whether fortunately or unfortunately, it is nevertheless a fact, that foreign-speaking parents are dependent to a very large degree upon their children for their contact with the English speaking people about them; and it is doubtful whether such interpreting as the probation officer requires is really any different from that which they are constantly doing. As regards the second objection, there is not often any

real danger in this respect. The questions usually asked in the home are generally quite harmless — where a boy spends his time, whether he is working or not, what time he comes in at night, etc.

No rules can take the place of ordinary good sense in such diverse situations as contact with immigrants is bound to present.

It is essential, however, that contact with immigrants on the part of probation officers should always be thoroughly sympathetic and thoroughly unprejudiced. A probation officer who allows himself to be swayed by any preconceived notions of the inferiority of any foreign-speaking people, sets up in advance a barrier between himself and the people which prevents his doing effective work. Furthermore, he must enter upon his work with a sympathetic understanding of old-world standards of personal conduct, parental prerogative and filial obligation, which often conflict with ours, but which cannot be unequivocally condemned. Often many of the difficulties encountered in dealing with foreign-speaking people are erroneously attributed to their inability to understand English. An intelligent foreign-speaking parent is easier to deal with than an ignorant English-speaking parent.

It is the consensus of opinion among experienced probation officers that it is especially important to have as probation officers dealing with *Italians, Poles and Jews*, persons who speak their languages fluently. Indeed, some probation officers assert that they have never known really successful probation among either Jewish or Polish people except by probation officers who speak their languages easily.

There are also problems of a more delicate nature peculiar to immigrants, which have nothing to do with the question of interpreting.

Miss Grace Abbott of the Chicago Immigrant Protective League puts it clearly in saying:

> One of the principal causes of delinquency among children of foreign-born parentage is the fact that family relationships are reversed. The child learns English and something of American ways and assumes to be the interpreter of America to his parents. The mother finds the adjustment of her old-world standards to the new conditions most bewildering. The problem for the probation officer is, therefore, how to reëstablish the parents in the eyes of the child. To do this, the probation officer must be able to make the connection between the old environment and the new. For this reason he must have a sympathetic appreciation of the social psychology of the people he is attempting to reach. Without this, the gap between parent and child will widen as a result of the unintelligent efforts of a well-meaning officer, and unintelligible means of communication used.

It is frequently the experience of probation officers that foreign-born parents understand much less easily than American parents the interference of the State in cases of neglect. An Italian father, for example, can understand the interference of the public authorities when his boy steals something, but it is difficult for him to conceive that he, the head of his household, is accountable to any one outside for the way in which he cares for his children. This makes it necessary for the probation officer to educate the father to some understanding of this, to him, new and strange idea.

COLORED CHILDREN

The peculiar reasons which make it advisable to have a colored probation officer deal with colored children wherever there is a large colored population are those found in the differences between the social life of colored and white people and in the peculiarly difficult problems of race contact. The differences in attitude of mind and the ways of life are so subtle and, at the same time, so complicated, that a white person rarely understands how to deal with them sympathetically and effectively. They may be summed up as follows:

1. Among the very poor and illiterate, the looseness of the family relation, coupled with an intense love for children.

2. The great power of religious impulse and the great need for emotional religious expression.

3. The constant discrimination against colored people at every turn, particularly harassing in industry where opportunities for employment are few.

4. The poverty and squalor of many colored homes, which will be endured without appealing for charitable aid, and which leads to much neglect and delinquency.

5. The lack of opportunities for relief, social life, hospitals, recreation and the like all make for more neglect and delinquency among colored children than those of almost any other group. The ratio in many border-line and southern states is five to one compared to the proportion of white children in court.

Special attention in dealing with colored children needs to be given to:

1. Their home life, including the housing conditions.
2. Vocational training and opportunities, both for children and parents.
3. Recreational opportunities.
4. Influence of race prejudice on their temperament and on their opportunities.
5. Making known in colored neighborhoods the function and purpose of the juvenile court, so that many other children who are not now properly cared for will be brought under the watchful care of the court and its probation officers.

SPECIAL WORK IN THE PROBATION OF GIRLS

The probation of girls presents one of the most difficult problems, because the difference in the habits of life of girls makes their delinquency the more serious and more problematic. The restricted social opportunities for young girls, the lack of wholesome recreation with boys of their own age, the difficulty of directing their activities into natural channels of expression, all make a problem which is not present in the case of boys.

There is such a variety of method in dealing with the difficult problem of delinquent girls, that the authors are in great doubt as to what standards and methods to present. Believing that it would be helpful to get opinions on the same specific points from a number of women of long experience in dealing with delinquent girls, the authors have secured the statements which follow:

Says Mrs. Martha P. Falconer of the Girls' House of Refuge, Philadelphia:

I think it is much more difficult to help girls with pro-

bation than boys. The greatest difficulty is to supply them with the opportunity for social life. They must have recreation and companionship. How to give them this, without having the privilege abused, is a great problem. I believe it is impossible for some girls between the ages of 16 and 21 or even older, to resist temptation in the presence of men and, of course, most of them would be a menace to any community where they would be thrown very much with men. On the other hand, a girl is apt to be so intensely lonely in an isolated home in the country that she becomes discontented. The safest place is in the simpler homes in the country or smaller communities where the social lines are less distinctly drawn, where the girl can be treated as a member of the family and where she will have the companionship of a woman and her little children. Some women will be very patient with the girl for the help that she will give her in a community where it is difficult to obtain domestic service. I believe that most immoral girls will be better for a period of training before being placed on probation. If the girl can be trusted, has proved herself, opportunities should be given her to have some recreation. In every particular try and place a girl in some other home for the reason that if the girl is immoral, it is often because the mother is weak or vicious or unwise in handling the girl or very often the girl's own mother is dead and the stepmother is not in sympathy with the girl.

The same temptation will also be waiting for the girl in that immediate neighborhood. We have found from our experience that our girls do very much better if they are never allowed to return to their old homes after their two years of training and care in this school. We allow very few to return to their homes and most of these do badly. We have to bring them back and re-place them in another community. If we could do so, I wish we might never allow

a girl to go back to her home, and where I can get the co-operation of the court or others in authority, I do not do so. But as we all know, a mother's tears will very easily move those in authority and it is useless to argue if the home is in apparently good condition. Most people would feel that the girl deserved a chance, but our experience is that the girls seldom do well when allowed to return to their old homes.

Says Miss Mary Dewson, formerly superintendent of the Parole Department of the Lancaster (Mass.) School for Girls:

To my mind the greatest problem with girls is to keep them from prostitution. Such a "highfalutin standard" is never held up for boys, or with no greater insistency than shown by a spasmodic speech by a probation officer. But the probation officer for the girl sets moral decency as the standard and the girl must attain that or fail altogether. The boys commit certain overt acts against society, as arson, larceny, burglary, etc., and upon them attention is focussed. It is not too difficult to convince many boys of the wisdom of another course. Their more subtle but deeper offense against society in the degradation of themselves and others by immorality and debauchery is in the side-light.

This same subtle and deeper offense is the one the girls' probation officer attacks. It is a long, slow job to convince either girl or boy that they desire this much-lauded, and from their point of view, little-practised thing, decency. It takes seven years for the physical tissue of the body to change throughout. The spiritual body grows as slowly. The special problem with the girl is to grow her mind and her emotional nature into a more wholesome form.

Is this slow growth possible in her own home, in the old

environment? Perhaps sometimes, if there is decency and some common sense in her people, and provided her energy and desires are intelligently looked after by the probation officer. More often her home is an impossible place in which to grow a new set of ideas and habits.

The alternative is placing out. A new set of problems — very serious ones — community problems as well as personal problems. For the girl herself careful and frequently followed-up placing out, which includes the girl, the employer and the environment, plus the strength of the visitor's personal power, is the best plan. The best plan, at any rate, for a few years. As her new ideas become more than veneer and her new habits begin to grip her, she may have a try at a more congenial occupation.

Again a new problem. Industry does not pay a living wage to young, green help. Frequently it does not to the experienced, the deft, the steady. It is not enough for a girl to know something of sewing, millinery, or stenography. Only the exceptional girl can earn enough in industry to get along, unless she is boarded below cost at home, and maintained altogether during the slack times and sickness. I have seen many decent girls subsidized by their probation officers' efforts while in industry, give it up and go back to housework after they were twenty-one and on their own resources.

Miss Gertrude Grasse, Executive Secretary of the Brooklyn Juvenile Probation Association, says the special problems with girls are:

The reticence of girls to "make a clean breast of things," the difficulty of giving them proper amusement in place of vulgar shows which they have frequented, to secure good companionship for them.

I do not consider the reporting of girls desirable or of very much value. The probation officer can get more satisfactory information if she visits the home, school or place of work frequently. The statements of the girls have to be verified anyway if the probation officer is to do good work. The best way to reach a girl is to take her to the theater or museum or invite her to one's home in a social way. More things are told and confided and a better insight obtained than by a dozen "reports."

It is necessary for the probation officer to know all the facts clearly and have the girl understand that she knows. The probation officer must never let a deception on the girl's part go by default. Unless the probation officer understands the facts and faces them, she cannot be successful. After matters are understood, it is best not to refer to them again.

In quite an extensive experience I have found only two girls who were deliberately immoral who apparently were *not* feeble-minded. A girl under 16 years is immoral under stress of environment or because she does not realize what she is doing. Probation officers should discuss with their girl probationers the fact of life and present it to them as one of the wonderful things of life to which a woman is called.

It is almost always necessary to remove a girl who has gone wrong from her former environment. The parents who gave her little care before she came to court, seldom improve very rapidly in that respect. Then, too, if the girl can be placed in a home with a good woman, in good surroundings, she can teach her many things which the girl has had no chance to learn at home. The probation officer at best can only see the girl intermittently and what she needs at this time, when her whole future is in the balance, is the influence of a good woman as a daily companion.

The homes in which girls are placed should be carefully investigated and only such be chosen where the "mother of the family" understands that this is her opportunity to help one girl to full womanhood.

Says Miss Maude E. Miner, of the New York State Probation Association, giving her opinion in order on the questions asked by the authors:

1. Problems in Probation Work for Girls:

(a) Lack of sufficiently complete investigation in the cases of girls before they are released on probation, with the result that frequently girls unsuitable for probation are placed in the charge of probation officers.

(b) Difficulty in securing adequate wages and recreation for probationers.

(c) Lack of suitable institutions in which girls can receive training for work without being under legal commitment.

(d) Lack of adequate institutions to which girls can be committed when they violate their probation, and failure on the part of judges to commit girls for violation of probation. If girls are committed to work-houses or reformatories where there is not adequate care, or, if they are allowed to go after violating the terms of probation, probation is meaningless to them.

2. Desirability of Having Girls Report to Probation Officers:

Reports are desirable if they are under proper conditions. In other words, if the probation officer has really the opportunity to see the girl, to talk with her and to understand her problems better. Such reports should be *without exception* apart from the court. Girls consider it a privilege to visit the probation officer, if the probation officer is truly a

friend. It makes these reports more than a formal statement by the girl of how she is getting along and utilizes them as an opportunity to win the girl still further.

3. Methods of Dealing with Immoral Girls:

If careful physical examination has not been made before the girl is released on probation, the probation officer should have such made before the girl is allowed to go to work or return to her own home. The mental examination and diagnosis can help in solving the problem of placing the girl at the kind of work she is best fitted to do. The probation officer must have adequate understanding of the nature of the girl and sufficiently strong personality to make the girl feel she is under her care in more than a legal or formal way. Emphasis must be laid upon getting the girl into the right attitude of mind and making her feel constantly that it is possible for her to let go the past and lead an honest, useful life. It is helpful to urge right thinking with immoral girls and good results have come from this.

4. Placing Girls in Homes Other Than Their Own:

In dealing with the girls on probation, I have found that it is the wisest and best thing to have the girl return to her home if her family will deal rightly with her, provided the home is a suitable place for the girl. Of course, a girl cannot be returned to an immoral home or to one where the family is so entirely out of sympathy with her that she cannot be at all happy. Often the parents can be induced to take a different attitude toward the girl and so help her in her effort to rehabilitate herself. If constructive work can be done in the home by frequent visits of the probation officer and her advice and help, the home can be made a better place, not only for the girl, but for her brothers and sisters. Whenever it is possible to link the girl with homes

in any sense helpful, I have found greater success than in placing the girls outside, unless the most ideal conditions could be found for them. Institutions such as hospitals, day nurseries, etc., have aided by taking girls to work in them and some supervision has been exercised by persons within the institution who were interested in girls. If it can be avoided, I do not place girls in furnished rooming houses or boarding houses during their probation period.

VIOLATIONS OF PROBATION

In cases of both delinquency and neglect, a probation officer time and again must decide whether or not a case has gone beyond the help of probation and requires further action by the court. The decision in such cases depends in general on one consideration — whether or not on the whole the case is failing under the work of probation; whether on the whole conditions are getting worse (or no better) despite all that probation officers can do. If that is the case, the probation officer is not living up to his obligations, if he does not bring it to the judge's attention. Probation was not instituted for continuing indefinitely cases which do not respond to its methods.

A probation officer should allow his efforts a reasonable time to bear fruit before bringing the case to court. He should make every effort in his power to solve the problem. No specific offense, unless it be a serious one, is enough to justify bringing a delinquent child back to court. A boy, for instance, placed on probation after being brought to court for stealing, steals again. Technically it is, of course, a violation of his probation. As a matter of fact, this stealing may be much less serious

than the original offense, and his attitude toward it may be distinctly better. In such circumstances, the officer is justified, if there is no prosecution, in continuing the child on probation. A record of the fact should usually be reported to the court. Unless at least so much discretion is given a probation officer in working out a problem, there can be but little force in probation.

In the larger cities, where there is a chief probation officer, it is his business to see that his assistants keep track of every case, and that they do not allow cases to lapse or default without being brought back to court. A well-organized office can do this, particularly if the probation officers are in close contact by means of weekly conferences regarding their methods, and if the chief probation officer is in frequent contact with his assistants regarding their work.

When a probation officer feels, after a reasonable trial, that he is accomplishing nothing with a particular child, he should report that conclusion to the chief probation officer. The chief probation officer should review the case from the time it came into court, with all the later history which the assistant can give. If it then appears that other methods can be followed and other resources drawn upon the chief probation officer may refer it back with instructions to follow out an indicated line of work. If it appears that the probation officer is not adapted to working out a particular problem, it should be transferred to another officer for solution. If the case appears to need the court's attention, the chief probation officer should file the proper papers for re-appearance in court.

Every case that is returned to court by an assistant should come through the chief probation officer first. He is personally responsible to the court for the conduct of all the probation work. In courts in which there are only one or two probation officers, and no chief, cases of violation have to be treated differently. In these courts, the judge usually attends to details of the probation system and should be informed of practically all violations.

No probation officer or chief probation officer should permit any considerable number of violations of probation by a given child without bringing him to the court's attention. The probation system is greatly weakened by allowing successive violations to pass without a change of treatment. The system is discredited in the eyes of the children, their parents and often of a whole neighborhood. Probation is a serious function, and real violations are important matters, to be carefully dealt with.

On the other hand, to run to the judge with every little violation is equally damaging, for the court has little to offer except institutional treatment, a warning, or new conditions of probation. By the probation officer's handling of violation and keeping it from court, he often gains a stronger hold on children and their parents. Frequently in difficult cases, a conference between the judge and probation officer as to the conduct of the case is of greater value than the formality of bringing the probationer before the court as a violator.

One of the difficult problems of probation is that of boys who "abscond"— who run away from home and

often leave the city for periods of time. In such cases, probation officers are under obligation to make every effort to locate the children by corresponding with other cities and following every possible clue as to their whereabouts. Children who have absconded should be kept on a probation officer's list and their homes visited periodically to see whether or not they have been heard from. Such children should be followed up a year after the time of absconding, and if not then located, the matter should be brought to the attention of the court for an order relieving the probation officer of the responsibility of further inquiry and investigation. Most children are, of course, located within a year.

DISCHARGES FROM PROBATION

In cases of both neglected and delinquent children, a time always comes in each case when it is finally discharged from the supervision of the court. This happens either upon the children's attaining their majority and, therefore, passing from the jurisdiction of the court, or for cause before that time. Discharge for cause is usually dependent among delinquent children, upon a child's attaining a standard of good conduct. In the cases of neglected children, it is dependent upon family conditions being so improved as not to require the further supervision of the court.

In some jurisdictions, the length of probation is definitely fixed at the time probation is imposed and it is terminated therefore at a definite time. Such procedure, however, is not in line with the spirit of probation as it

is practised all over the country, and its defects are so clear as not to need comment.

A probation officer who handles his or her work by a plan mapped out in each case; who has a goal to reach, and who after months of effort weans the child from an intimate supervision to less supervision, then to more or less casual supervision, and from that to merely keeping track of events — is able finally to bring the child to court with the practical assurance that it no longer needs and will not again need the court's care and direction. *This weaning should take place in every case.* In the case of delinquent children, discharge may often be held out as the reward for attaining good conduct, the child understanding from the first that if he mends his ways and behaves himself for a period of months, he may secure a discharge from the judge on recommendation of his probation officer.

All such discharges should be made only on written certificate of the assistant officer directly in charge of the child; the facts should be reviewed by the chief probation officer and certified by him to the court. The cases should then be placed on regular docket and the children should appear, preferably in the judge's chambers for their discharge from the court, certified by a card signed by the judge.

Any other system than this is indefinite, vague and unsatisfactory to the court and to the children. The placing of a child on probation necessarily carries with it the implication of a discharge from probation when cured, just as placement in a hospital means discharge when cured.

In the case of neglected children there is, of course, not

the same relation of conduct to discharge. The *parents* in such cases should understand that the court will continue supervision until such time as they show themselves capable of properly raising their children. A final entry of discharge should be made when the supervision is concluded.

WORK OF THE CHIEF PROBATION OFFICER

The chief probation officer has two distinct functions to perform: the first deals with his relation to the court, carrying with it the supervision of investigations, attendance in court and execution of the judge's directions. The second function is that of administration of the probation office and supervision of the work of the probation officers. In addition to these two functions, he often has the additional work of keeping in touch with the institutions to which children are sent. Having an intimate knowledge of the cases, he is in constant communication with these institutions and their representatives at the court. He visits them frequently from time to time in order to keep in touch both with the management and the children, who, in most states, are still wards of the court, and upon their release will very likely continue on parole or under supervision in the care of the probation office.

Further than this, the chief probation officer must maintain a close relation with all social agencies, public and private; he must be informed as to the social resources of the community; the various charitable and civic agencies and the work of the schools. He must have an exact knowledge of social conditions of the city or county. He

is frequently called on to discuss probation and the Juvenile Court, and he must be always ready to represent the work in the community, even though he may have to make special preparation to equip himself for public speaking.

He usually has to prepare whatever news items appear in the papers regarding the work of the probation office, and to see to it that items of public interest, which will help keep the community in touch with the work of the court, get publicity. These items should never exploit the cases of unfortunate children or families, but should deal with problems, methods and results.

The chief probation officer should review all the cases which come before the court before their hearing to see that the proper investigations have been prepared in every case. His assistants should bring to him all cases of violation of probation, or cases ready for discharge from probation. He may also have to keep in touch with children on probation who move away from the city outside the field of direct supervision.

The following summary of the work of the chief probation officer in one court gives a clear idea of the matters usually under his jurisdiction:

1. In relation to Court:
   - (a) Attendance in court.
   - (b) Passing upon all complaints and petitions. and referring cases to other agencies.
   - (c) Passing on all applications for release or parole from institutions, change of custody, etc.

2. In relation to Probation Office:

(a) Direction of probation officers' work and assignment of all cases.
(b) Handling irregular and special cases.
(c) Supervision by correspondence of children on probation removed from the city.
(d) Passing on all cases of violating probation or parole, and discharges from probation or parole.
(e) General correspondence.
(f) Preparing monthly and annual reports.

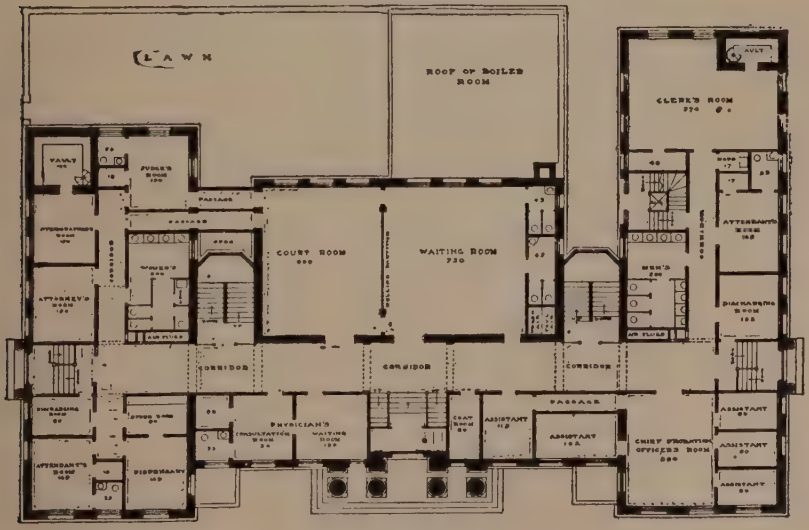
3. In relation to Institutions:
(a) Visiting periodically as representative of the court.
(b) Passing on applications for releases, changes of custody, etc.

PROBATION OFFICE WORK

No small portion of the business of any well-organized probation office is the routine clerical and office work. An accurate system of records, filing and indexing must be installed. The office work should be so organized that no time is lost in locating papers or records, nor in wasting words, when a business-like system would save explanations.

One of the first essentials is, of course, a stenographer and typewriter. Notes kept on scratch paper or written by hand are not always legible and do not make for a business-like system. The records which a probation officer keeps for personal use may be written by hand, since such records are of little use to other persons. But all records for general use in the office or court *should*

THIRD FLOOR PLAN.



FIRST FLOOR PLAN.

Milwaukee Children's Court Building. Plan of Two Floors

be typewritten. Probation officers should have the services of a stenographer for correspondence in order to relieve them of clerical work, and to give them the fullest time for their cases.

Even under the district system, a centralization of office work is desirable. The officers should keep in contact with the central office by telephone at least once or twice daily. Where the district system does not exist, it is desirable for the probation officers to have *a fixed office hour,* in which all the officers can get together. The last hour or two of the day is most desirable, when children can be seen after school hours — the reports of the day made out and the work for the next day planned. In this way, the chief probation officer, the office force and the assistant or district officers can keep in close touch.

THE LARGER SYSTEM OF COÖPERATION

So far we have outlined particularly the technique of the probation officers' work in relation to school, home, neighborhood and other factors which make up a child's life. From a larger point-of-view this coöperation must be translated into a community movement which systematically forces back upon the usual constructive agencies the responsibility of so relating themselves, one to another, that the Juvenile Court will be an unnecessary adjuster between them.

Among the principal feeders of the Juvenile Court in most cities are the attendance and truant officers of the public schools. A child plays truant or misbehaves in school; he is reported by his principal to the truant officer. The truant officer sees him, warns him, and, failing, re-

sorts to other methods to keep him in school, and when they fail, reports him to the court.

Now, while the probation officer must work with this system, and while he gets on probation many of the children with whom the attendance officer has unsuccessfully dealt, still the chief probation officer or the judge can take up directly with the schools, the possibility of keeping many of these children out of court. In several cities, for instance, a large number of truants are prevented from coming to the Juvenile Court by the establishment of special rooms in the public schools, these rooms receiving truant or incorrigible children from the grade schools on certificate of principals to the superintendent of instruction that the children in question are beyond their power to manage. Few principals are willing to sign such a certificate. In one city, the result in three years was that three rooms of fifteen misfits each had been reduced to less than enough for one room. This process, of course, properly forces back upon each school the responsibility of dealing with the exceptional boy. In time all cases of delinquency not due to individual defectiveness, can probably be reached by the school authorities during the school period up to 14 years. As the school and the home become more closely related, there will be cut off a very large percentage of delinquent children who now come to the Juvenile Court from the public schools.

New York City offers a type of coöperation between home and school that other cities might do well to imitate. In 1906 the visiting teacher was put into the field for the purpose of dealing intelligently, sympathet-

ically, and promptly with the child who had for one reason or another become a problem at school. The following year 1907–8 connection was made with the Public Education Association, a volunteer organization that supplements the work of the Department of Education. It is the visiting teacher's duty to focus the attention of school and home so effectively upon the child that he may be spared the services of the remedial agencies afforded by the community. She does this by studying him intimately at school, at home, and in his immediate neighborhood, thereby establishing a close friendly relation with him. Visits innumerable she makes to him and to his haunts, day or night, whatever and whenever the occasion demands. Gradually, with the visiting teacher as "go-between," the principal and teachers come to know him as he is outside the class-room and likewise the mother and father are brought face to face with him in his school relations. As a result of this exchange of views, opinion regarding him shifts, judgments sometimes soften, and, what is more, rational treatment follows.

In every city the police annually arrest large numbers of children for minor offenses, things which can and should be adjusted between the police officers and the boys' parents — cases in which there is no desire on the part of any one to prosecute. *Every Juvenile Court should so educate the police that these minor cases can be handled intelligently without reference to the court.* There is no superior wisdom in the Juvenile Court which enables such trivial cases to be better handled. While in many communities the police system is unresponsive, it

is nevertheless true that much can be done toward socializing the force, and training them to coöperate with the court.

Much more can be done to interest churches in the problems of their neighborhoods, and in the children of their congregations. The court should point out through judge and probation officers just how in any given district the church can assist not only individual families and children, but can help to provide general means for recreation and improved social life.

In cases of delinquency, this larger coöperation then, will throw back upon the school, police and neighborhood for solution, many of the problems with which the probation officers now deal, and with which they can deal only feebly and ineffectively.

But this program of coöperation covers only social and individual delinquency. It does not reach back into the fundamental troubles in the family. As we all know, trouble usually begins with poverty, disease, broken families and neglect. A large proportion of juvenile court cases — an increasing number in every well-organized community — are those of neglected children. An increase in the proportion of neglected children coming before a court indicates that the agencies in the community are reaching the children before delinquency sets in as the result of inefficient home care. It is, therefore, necessary that the juvenile court should see that the neglect and accompanying destitution with which it deals are reached before conditions get so bad as to bring them to court. At this point, coöperation between the court and private agencies dealing with destitute and neglected children

must be carefully worked out and a thorough understanding reached. Every effort as a matter of course should be made by private agencies to keep cases out of court. Only when families fail to respond to volunteer treatment should the law be invoked to compel action which they voluntarily would not take, or to place children under the guardianship of the State, either for more effective supervision or for removal from their parents. In the cases brought to court by a private agency and where supervision is undertaken by the court, the probation officer placed in charge of the family should secure the continued assistance of that agency. It is rarely advisable, however, to turn the family over completely for legal supervision to the agency which brings the case against them. Neglected children brought to court and not previously dealt with by a private agency may often be placed under the official supervision of a well-organized private agency. In many cities, such agencies are better equipped than probation officers to handle these difficult family problems, especially where the relief of destitution is a large factor.

This new burden has become so great that in numerous juvenile courts provision has been made for granting through the court itself pensions to widows and other destitute mothers. This novel function raises at once a question as to the proper limitation of the juvenile court's work. It is a serious question whether the juvenile court should give public relief at all, or even whether it should decide in what cases public relief should be given by any public disbursing agency.

Instead of resorting to the court in such cases, we be-

lieve that resort should be had to whatever other public agency is constituted to give relief, or to a special relief-giving agency which should be constituted for this purpose. The county court or county commissioners have this function of relief in many states, and in many cities this function is lodged in officials or boards such as overseers of the poor, charity commissioners, boards of children's guardians and the like. The juvenile court, through the judge or probation officers, should, however, see to it that relief is given by public or private agencies and that destitute families are cared for without the court's intervention.

The juvenile court must constantly — both through the conditions it meets in probation work and in the court — interpret to the community the causes and point out the means of prevention or relief.

Better coöperation between school, home, police, church, neighborhood, playground and public and private social agencies, would reduce greatly the number of cases that come to every juvenile court. It would leave the court as the clearing house for the most serious cases which require some special treatment. Probation would become a smaller and smaller function, and the court would become an agency chiefly for the commitment of children to institutions when special treatment is absolutely necessary.

The tests of a good court system anywhere — the maximum of children really needing the court's attention having been reached, are, first, a constantly diminishing proportion of repeaters to the total number of children brought before it each year; second, a con-

stantly diminishing number of children brought before it (provided always that all children who need the court's help are found and brought to it); and, third, an interpretation to the community of the conditions it deals with, directed always to preventing the flow of children into the court by building up the normal constructive agencies of the community. At the same time, the social facts should be given well-considered publicity through the press, so that the work may be clearly understood and backed up by public sentiment. The public does not yet understand the juvenile court. Many social agencies do not understand its functions. Progress will come with its success in reducing the volume of delinquency and neglect by showing other agencies how to prevent them.

PROBATION METHODS IN RURAL DISTRICTS

The probation methods so far discussed apply particularly to cities. The application of these methods to rural districts is full of difficulties which vary with conditions. There are few strong organizations of children's work in rural districts anywhere. The chief difficulty in organizing probation work in rural districts is the distances to be covered. Most rural districts consist of large agricultural areas, dotted with small towns, usually poorly connected. The county seat at which the judge sits is usually not a large place, and the children come long distances. Probation work is, therefore, much scattered. For that reason one paid officer who might in the city supervise 80 to 100 children, can adequately supervise not more than 40 to 50 in the country. There

is frequently the further complication that the number of children is too small to require the time of more than one person, yet they are so different that there should be both a man and a woman to care for them.

Work in rural districts clearly calls for the use of volunteers or of persons who give only part time to probation work. Juvenile courts in such districts should have at least one paid probation officer (who may be giving part of his time to other work) assisted by volunteers in each of the centers of population. The volunteers may be school teachers, truant officers, doctors or other citizens having to do with children. With the telephone as a means of communication, investigation of cases to be heard in court, as well as the supervision of children placed on probation, can be accomplished by the paid officer directing the volunteers appointed to assist him. From time to time the paid officer should cover the different centers of population to examine personally the progress of each child in the court's care.

If the schools in the country employ competent attendance officers, they are by far the best public officers for the work of probation. Indeed, if the attendance officers are well qualified for their work, they will prevent most cases from getting into court at all.

The work in the rural districts is particularly in need of that unification which comes from the supervision of the state board of charities, or a state probation commission as in Massachusetts or New York. In most rural districts where the number of children's cases is small the one paid probation officer can direct the work of supervising adults as well as children.

PART IV

REPORTS AND STATISTICS

INTRODUCTION

COMPARATIVELY little has been done as yet by juvenile courts in presenting to the public intelligible and accurate statements of their work.

There are several reasons why juvenile courts have not been statistically studied and have not themselves given out results of value. In the first place, children's courts are new, their methods experimental, and their records irregular, incomplete and not uniform. Second, under constant pressure of work, statistics and records are either neglected or held not essential. Again, such reports as are published are not compiled by trained persons and are, therefore, so faulty from a statistical standpoint that as yet only a very few conform to the most elementary statistical principles. Finally, statisticians must depend on the court and probation office records, which are usually of little statistical value.

It is hardly too much to say, therefore, that as yet there is no statistical material from juvenile courts that affords a basis for definite, well-founded comparisons between different courts and different communities. It is evident that before statistical studies can be made, the courts must get their material in proper shape for intelligent presentation.

The following records are necessary to prepare a statistical interpretation of a court's work: (1) a monthly report from each probation officer, with the exact record of all the children in his care during that month. This is essential not only for statistical purposes, but also for the chief probation officer, or the judge, in supervising and checking up each officer's work; (2) a general monthly statistical report of all cases before the court. This furnishes a gauge of the delinquency and neglect in the community; (3) an annual report, provided it contains an accurate record of the court's business. The community has no means of knowing how well the work for children is succeeding, unless the juvenile court expresses results in the form of statistical facts.

REPORTS OF PROBATION OFFICERS

The monthly reports of probation officers should show (1) the number of children in charge of each officer the last of each month; (2) the number taken on during the month; (3) the number removed. Delinquent and neglected children should be grouped separately under these heads. The number of reports made by children and the number of visits made by the probation officer should be shown.

GENERAL MONTHLY COURT REPORT

The general report of the court for the month should include a summary of the probation officers' reports, showing the number of children in charge of the office the last of the month, the number taken on, the number removed, and the total business of the office in reports and

visits during the month. The court exhibit should show the number of cases in court and the methods of disposing of them. It should also include a monthly census of the children in public and private institutions committed by the court.

ANNUAL REPORTS

Most annual reports of juvenile courts have been pleasant statements of the good work done embellished by pictures, with an appendix of a few more or less formidable tables — which examination shows to have little or no statistical value. The statements of the court's work are usually superficial and do not accomplish the real purpose of an annual report, which should be to *present exactly the volume of the business of the court and the methods of dealing with it for one year in relation to previous years.*

The annual report should contain:

First: A brief historical and descriptive statement for the unfamiliar reader, with particular attention to the year in review, detailing such changes as have been made in the probation system or any other department of the court.

Second: A careful analysis of the statistics presented, with percentage statements showing the relation to previous years, thus giving a complete picture of the delinquency and neglect among children.

Third: Complete statistical tables.

Fourth: An appendix containing the laws relating to neglected and delinquent children; and any judicial regulations affecting the probation office or the court.

A more complete statement might well cover the particular problems which the court has to meet; its relation to other agencies, a statement of its expenses, with an estimate of its benefits, and recommendations for so improving the work for social betterment as to decrease the volume of delinquency and neglect.

The annual report should be compiled under the direction of the judge or the chief probation officer. Given a satisfactory record of facts, who should be charged with their compilation? Such a task demands a trained mind. Reports compiled by a stenographer, a volunteer worker, court clerk, or a probation officer (unless he is trained in statistics) can hardly yield results of value. Yet one or another such persons have usually been selected for the task. Only one or two court reports yet published have been compiled by persons with adequate statistical training. It may be said in explanation that few juvenile courts can employ experts for the purpose on account of legal and financial limitations. But the cost need not be large. The cost of tabulating all essential information in 1000 cases, if the records are in good order, ought not to exceed $50.00. Persons qualified to do the work are connected with some public department in every city or county of any size.

PRINCIPLES OF COUNTING

Whether or not a specialist is employed, there are certain principles which must be observed, and which need recognition on the part of those responsible for court reports.

First: It is essential that every case or child counted

should actually have been in court. Some courts have an informal way of handling cases "out of court" through probation officers, without any legal complaint or action by the judge. These cases are often lumped with the court statistics. As they are usually of a petty character — neighborhood quarrels, minor offenses and misunderstandings with parents — their presence in the totals of court statistics leads to confusion and erroneous conclusions. Cases of this kind are of little or no value in throwing light on juvenile delinquency, and should be carefully separated from the records of court cases. In some courts these "unofficial cases" or cases settled out of court, exceed in number those dealt with in court. Considering the fact that the law itself does not recognize them, and that the process of law is apparently not necessary for their solution, it is doubtful if they have any place in an exhibit of the court's work. If counted at all, the only facts likely to be of any value are their number and character. In any event, they should be set forth distinct from court cases.

Second: The neglected or dependent groups should be kept distinct from the delinquent in every table, and such separation should be based on actual neglect or delinquency as shown in the social facts — not on any technical charge in court.

Third: One of the most flagrant errors in practically all reports is the *confusion between cases and children.* It seems to make no difference to the tabulator whether there are *1000 cases* in court or *1000 children.* Every time a name is on the docket — even if it be the same child five times a month — it counts in the tables. Thus,

if John Jones is in court 6 times during the year, he figures as 6 in the age table, as 6 Catholics, or 6 Protestants, as 6 foreign-born, etc., etc.

There are certain tables (mainly those showing charges against children and disposition of cases) *which should be based upon the number of cases,* and certain other tables (practically all the rest) which should be based upon the *number of individual children.* So no matter how many times John offends, he should count (except in the two or three case tables) as one, and one only for the year. *This differentiation of court cases into two groups, one dealing with the number of cases and the other with the number of individual children, is of primary importance.*

SUBDIVISION OF GROUPS

Each table should, of course, be subdivided to show the facts by sex, and where there are large numbers of colored children (certainly where they number 10% or more of the whole) there should be a subdivision by color also.

The need of grouping by sex and color is self-evident in tables dealing with *individual children.* In tables based upon *court cases,* however, a difficult problem arises. For instance, the table below shows charges against children in a juvenile court by cases, *but subdivided by sex and by color.* The subdivisions do not indicate individual children, but cases as applied *to children.* This gives rise to confusion in a detailed examination of the different groups. For instance, the six white girls under "offenses against property" may indicate one case

each against six different girls, or six cases against one girl, or any variation within these limits.

The confusion thus caused can be remedied only by an elaborate system of case and child counting, with eight columns, four counted by cases and four counted by children, arranged side by side so that it will appear at a glance how far the number of cases is in excess in any given group of children. This complicated table is the only way to present the whole truth. It is extremely doubtful whether so elaborate a subdivision is necessary — certainly not for ordinary statistical purposes. *It is better, therefore, not to subdivide by sex and color any tables counted by cases, but to give only the totals.* The arrangement of totals as here shown (at the top and in the first column) is to be recommended as conducive to easy examination and interpretation.

TABLE I. CHARGES

	TOTAL	BOYS		GIRLS	
		White	Colored	White	Colored
Total cases before court	2028	1418	287	266	57
Delinquent	1730	1279	280	123	48
(a) Offenses against property	512	390	107	6	9
Destruction of property	44	39	5	...	..
Larceny	377	279	84	6	8
Burglary	88	70	18	...	..
Forgery	3	3	...	...	..

COMPARISON WITH OLD AND NEW CASES

With these principles of counting laid down for all tables, we must next inquire what general grouping of

tables may profitably be made. As the statistics in question apply to a given year, it is clear that all children coming before the court during the year naturally fall into two groups — those who have been in court before that year and those who have not. This grouping of children is essential to an intelligent understanding of the facts. The charges on which children *reappear* in court, the dispositions made on a second or third appearance, the social or home conditions of children who come back to court — all are questions intensely significant of the child-life of the community, especially in comparison with those children coming to court *for the first time* in that year.

This division has been recognized by the United States Census in the Juvenile Court Statistics appearing in the Social Statistics of Cities (1908), but is limited to first and second appearances in court and the disposition on a basis of these appearances, a method which starts out with the right point-of-view, but fails to be of practical value because it is so incompletely carried out. A second appearance in court may mean something or nothing, according to the charge preferred.

But where year can be compared with year, on the basis of a grouping of old and new cases, a real standard of measurement of the conditions of child-life and of the processes of the court can be set up. It may often be desirable to make a further division of the groups, because the children who were in court before the year in question (that is, the *old* cases) themselves divide naturally into two groups — (1) those who were in court and who were released from its care before the beginning

of the year in question, and (2) those who were still under the court's care at the beginning of the year and who came into court on some new charge during the year. This latter group includes children on probation, parole, or in institutions subject to the court's order. For the purpose of examining the success of the court's methods, we should group the facts about these children in the court's care who come in on *fresh charges or for a new cause,* so as to compare them with those who come in entirely new, and also with those who came in before the year in question and were released — either with or without some process on the part of the court. A complete record demands such a grouping of cases. *As a minimum requirement, the separation of old and new cases must certainly be made.*

WHAT TABLES?

Having determined the general principles of tabulation, the next question is, what tables to compile? This question is to be answered somewhat by local conditions which might make certain tables valuable for comparison with facts known of the community at large. For instance, if the children of a community are all medically inspected in the schools and the facts are known, it would be highly interesting to compare the same group of facts among court children. But without the data for the community at large, the facts relating to Juvenile Court children would be of much less value.

In the same way, many groups of facts have so little value for lack of comparative facts relating to the children of the community at large, that they may well be

omitted. *The use to which figures can be put is the only justification for their compilation.* If their interpretation is doubtful, speculative or perhaps misleading through absence of comparative data, they should be omitted.

Briefly, tables should be given which show: first, the volume of business of the court, the charges on which children come to it, and the methods of disposition; second, such social facts regarding these children (a) as can be compared with those of children at large; or (b) as find a basis of comparison in the court's previous records; or (c) as are of interest because they are significant without comparison. We may sometimes gain valuable results, for instance, from a study of the parental condition of delinquent children before the court, since that is so essential a factor in their delinquency. Other groups of tables which can be added with profit are those showing the success and failure of probation, and the social facts characteristic of the group of children at any one time in the care of the probation office.

It has often been suggested that comparisons be made between *offenses* and the facts showing social conditions. Such comparisons are often valuable in a study of crime among adults, as there is a certain relation between offenses and social conditions, where the individual is acting freely. Among children, however, the specific offense itself is of minor consequence, for children lead more or less directed and controlled lives. They are not free to act as an adult. Moreover, the particular offense charged may be quite accidental, the same boy possibly having done half a dozen other wrong deeds on the same

day. A boy brought in for larceny may be a truant, a runaway, a crapshooter, a cigarette-smoker, or any one of a dozen brands which are marked for the court.

The *groups of offenses,* distinguishing between offenses against the person, property, peace and morals, have indeed considerable significance. If the offenses are grouped on the actual deed, not on a technical charge, a comparison of social factors with groups of offenses might be of value. The same importance cannot be attached to offense classification among children as among adults.

The following tables are recommended as setting forth the minimum information which a well-organized court should present:

(1) *Charges on which children appeared before the court, counted by cases.*

(a) Assault.

(b) Theft (including all forms of appropriating property, such as forgery, robbery, driving off vehicles, etc.).

(c) Sex offenses (including fornication, lewd acts, exposure of the person and the like).

(d) Wayward children (including runaways, so-called incorrigibles, etc.).

(e) Gambling.

(f) Intoxication.

(g) Disturbing the peace (including street fights, trespass and the like, usually offenses committed by groups of boys together).

(h) Violating city ordinances (including only such ordinances as are police regulations, offenses in

one community and possibly not in another; in other words, having little relation to a standard of right conduct. These include playing ball on the streets; building fires on lots; violations of license regulations and the like).

(i) Truancy.

(j) Violations of probation and parole.

(k) Neglected children.

(2) *Dispositions of cases before the court, counted by cases.*

(3) *Manner of bringing cases to court,* i.e., by police, attendance officers, etc., counted by cases and subdivided into boys and girls (white and colored, where necessary).

(4) *Number of times children in court* during the year had ever been before the court on charges; counted by *children,* subdivided as No. 3.

(5) *Ages of children before the court,* counted by children, subdivided as No. 3.

(6) *Nativity of children before the court,* counted by children, subdivided into boys and girls only (not colored and white, of course) grouped by foreign born; born of foreign parents, one or both; and born of native parents. (In some cities with large foreign groups, subdivision may be better made by races or nationality.)

(7) *Parental condition,* counted by children; grouped under (1) parents together, (capable or incapable); (2) parents not together, (separated by death, divorce or separation, step-parent in place of parent lost).

In these tables are included all the facts which can be treated statistically with success. Facts relating to physical condition, religion and housing conditions, school or

employment record, are subjects for special study. Other facts than these, even when properly noted on record blanks, are difficult to treat statistically. Such facts are the notations in regard to habits, characteristics, associates, etc.

When the facts outlined above are presented by contrasting tables of old and new cases, it is essential to have these tables *printed on opposite pages, with a percentage column added to each table so that the comparison of facts for old and new cases may be made at a glance.*

In addition to the tables covering the facts for one year, there should be a group of tables affording comparisons with previous years. Charges and dispositions are of greatest importance as showing the extent and character of delinquency and neglect in the court's work.

SUMMARY

The main principles set forth may be summarized as follows:

(1) The necessity of a complete record of the social facts regarding each child.

(2) The compilation of statistics from these records only by a person experienced in statistical work.

(3) The separation of tables into (1) groups counted by cases and (2) groups counted by individual children.

(4) The separation of cases actually before the court and those settled outside court (where this system prevails) and the separation of delinquent and neglected children on a basis of the actual facts in each case.

(5) Subdivisions to show sex, and, where colored children are numerous, color groups.

(6) The division of tables into four groups:

(a) Tables of all children before court during the year.

(b) Tables of new children only.

(c) Tables of old cases re-appearing.

(d) Tables of children in care of the court at the beginning of the year and appearing in court on new complaints during the year.

(7) The compilation of such tables only as deal either (1) with the volume of court business and methods (charges and dispositions), or (2) with social facts that can be compared with the community at large, with past years of the court and with groups of offenses (not offenses themselves), (3) the success or failure of the probation method.

MAPS

A number of courts have attempted to study the sources of delinquency and neglect through the preparation of maps of the city or county showing the place of residence of children who come before the court within a given year. None of the maps has been worked out with enough care to be used as a model. Such a map, however, can be of great use in interpreting the effects of the work of the court and other agencies for the better care of children. Every court, whether in a city or county should undertake the preparation of a map showing the homes of the *new* cases of neglected and delinquent children coming before the court during the year. Such a map is useful for the following purposes:

1. For showing graphically from what parts of the

city or county neglected or delinquent children come, as a basis for discovering such conditions as may tend to produce delinquency or neglect.

2. For comparing the sources of delinquency and neglect year by year, as a basis for estimating what factors are reducing or increasing its volume.

3. For comparison with other maps showing, for instance, density of population, the location of playgrounds and similar social agencies, foreign-speaking districts, colored districts, etc.

Care must be used in selecting the cases of children to be shown on the map. It is useless to include all children who come before the court, for many of them are dismissed or discharged, some of them "not guilty," others guilty of such trivial offenses as not to warrant action by the court. For instance, it would be foolish to include a normally good boy found guilty of throwing a rock and discharged with a warning, when fifty boys throw rocks and never come to court at all. *What the map should show are the homes of those children, neglected or delinquent, for whom some action by the court is necessary, who are in such a condition that they need the care, protection or discipline of the court's officers.*

Therefore, there should be included only neglected and delinquent children who are put on probation during the year for which the map was made, or who are committed to institutions or fined (where the fining system obtains).

Only the new cases coming to court during the year should be included. Children on probation or under the guardianship of the court, brought back to court for a new offense, should be excluded, since they are already

under the court's jurisdiction. This, then, will show as accurately as possible the volume of fresh delinquency and neglect coming into the court in a given year.

The best method of marking the map is to use a colored dot for the home of each child — one color being used for delinquent and one for neglected children. A small rubber stamp with an ink pad is doubtless the simplest and most satisfactory marking device. The map should be kept up systematically each week.

USE OF STATISTICS

The chief value of these statistics, however well compiled and clearly set out, is as a basis for an intelligent text discussion and analysis. It requires a long and careful study of any extensive group of statistics to interpret correctly their significance to the community. Statistics are only a means to an end, and their proper interpretation is a more exacting task than their compilation. Too often we find statistics complete in themselves, but almost valueless because they are not properly interpreted.

UNIFORMITY FOR STATES

A striking feature in the juvenile court movement is the irregular development of juvenile courts organized in the same state under the same law. One court in a given state may be doing excellent work and another very poor work. Much of the difficulty is due to the general lack of knowledge of desirable and approved methods. Uniform development can be stimulated and the best methods adopted only through some central state bureau for the exchange of ideas and information.

In Massachusetts and New York this central bureau, the State Probation Commission, not only does this, but also directs in detail the probation work of the state. In several other states some central body, such as the State Board of Charities and Correction, acts as the clearing house and information bureau. This leads to practically uniform records in the courts, and similar methods. The collection of statistical matter by either a state board or by a probation commission, as in New York or Massachusetts, is valuable in showing the success of probation.

These state commissions on probation collect information from probation officers concerning each individual case under their care. The reports of the probation officers to the state commissions contain the name, age, and address of each probationer, and indicate the results at the close of each case. In other words, they maintain a central bureau of case records for the entire state. This facilitates the detection of repeaters, and is helpful when it is desirable to transfer probationers from one jurisdiction to another. It is needless to say that the records are treated as confidential, and in no wise jeopardize the interests of the adults or children. On the basis of these case reports, the commissions compile statistical reports for the entire state and for each of its courts. Statistics compiled by the central state authorities from such case reports are more likely to be complete, accurate and helpful than are statistics made up by gathering together the statistical reports received from the several courts or probation officers.

The reports which a central body compiles monthly or annually regarding the use and extent of probation should,

of course, comply with statistical standards. A form of report recommended is given herewith (page 233). In this connection, there should be noted also the discussion of statistical principles on pages 176 to 178, which have a bearing on state reports, as well as the annual reports of courts. Indeed, as a practical matter, annual reports can be expected only from the larger courts which have a considerable volume of business. The smaller courts which have only a comparatively few cases, will naturally not publish separate reports. Their statistical material can be shown only through the annual reports of a State Board of Charities or a State Commission.

The most desirable information is that which is most easily collected for these state reports. As shown on the recommended form, the items are (1) the number of children before each court each month, subdivided into boys and girls, and, where necessary, into colored and white, giving the charges on which they were brought to court, and (2) the dispositions of their cases. In addition to this, reports should contain a census of all the children in the care of the court the first of each month; the number on probation; the number discharged from probation; the number committed from probation to institutions, and the number in institutions.

TERMINOLOGY

The terms used in various parts of the country to designate different aspects of probation work, vary considerably, and are at times confusing. For instance, "probation" and "parole" are in some places used interchangeably. In most places "committed" ordinarily and

properly signifies commitment to an institution, but in other localities, when probation officers use the word "commit" they mean "placed on probation." Other terms used in different localities to signify the placing of children on probation include "released on probation," "probationed," "paroled," and "probated."

Of course, the nomenclature in the different states must conform within certain limits to the language of the statutes, but, for the most part, the terms are not prescribed by law, and it may not be too much to hope that the language of future legislation may lend itself more than in the past to a uniform terminology.

Following are some suggested definitions and distinctions:

Parole is the conditional release of children *from an institution* under the care of a parole officer.

Probation is the conditional release of delinquent children *by a court* without commitment to an institution, but under the oversight of a probation officer.

A child is said to be "put" or "placed on probation." We disapprove of the word "probated" in this connection. The word "probationed" is objectionable, but owing to its comparative brevity, it may in time come into good usage.

A child placed on probation is known as a "probationer."

The best adjective phrase to use in referring to probation is "probationary." The rules and regulations prescribed by the court or probation officer for the probationer to observe while on probation, are known as the "probationary conditions."

A child who transgresses or fails to observe the probationary conditions may be said to violate the "probationary conditions" or better to "fail in observing" the "probationary conditions," or more briefly "violate his probation."

A probationer who runs away or disappears, without permission, from the jurisdiction of the court or the oversight of the probation officer, may be said either to "default," to "abscond" to "disappear," or to "become a fugitive." The term "disappear" is perhaps the best.

When a probationer satisfactorily completes the probationary period, he may be said to "have finished his probation," or "to be discharged from probation."

If a probationer fails to observe the probationary conditions and the court decides to resort to some other treatment, the action taken by the court in canceling or ending the probation is often called "revoking the probation," using a similar phrase as in connection with a parole.

The investigations made by probation officers concerning the history, character and circumstances of children before their cases are adjudged by the court, are in most places known as "preliminary investigations." The adjective "preliminary" is used to distinguish these investigations from the investigations made after the child is placed on probation. Preliminary investigations refer, therefore, to investigations *prior* to probation or other disposition of the case. Subsequent investigations are known simply as "investigations." Since the word "investigation" often implies rather superficial examina-

tions, some persons prefer the term "inquiry" and "preliminary inquiry." The word "investigation" is, however, customary and satisfactory.

Probation officers may be divided into the following groups:

(a) *Salaried* probation officer, those receiving compensation from public funds under the title of probation officer.

(b) *Detailed* probation officers, those detailed from other branches of the public service to do probation work, but receiving their salary under another title than that of probation officer.

(c) *Private* probation officers, those paid by private societies, organizations, or individuals to act as probation officers.

(d) *Volunteer* probation officers, those doing probation work without compensation from any source.

PART V

FORMS

INTRODUCTION

No juvenile court can operate successfully unless the legal and business forms, which constitute the back-bone of its business, are systematically worked out. Failure to devise such a system is responsible for the chaotic or ragged work in scores of courts. For the most part, the clerks of the court use the same or similar business methods and blanks for juvenile court cases as they have been using for years in the adult criminal courts. The probation officers' forms, excepting in a very few courts, have not been systematized.

Wherever a court handles a large number of cases, and a number of different persons constantly use the records, they should be typewritten, in order to facilitate reading. In the smaller courts, where they are consulted by only a few persons, they may well be kept in writing.

The legal forms kept by the clerk of the court and the records kept by the probation officers should be entirely separate. The clerk's records are the legal records of the court and must be kept on forms determined by the need for exact legal language and requirements in the infrequent cases of appeal from the court's decision.

The probation officer's records on the other hand are from a legal standpoint merely memoranda, and while they are the essential records, so far as the children are concerned, there is no need for their meeting any legally prescribed form.

Good forms are to be judged by the simplicity and completeness with which they answer their purpose. They are rare. The usual printed form is complicated and unintelligible, characterized by badly-selected type, much waste space, and unnecessary words.

It is first essential not to waste space. The three most convenient sizes, whether filed flat or in envelopes, are, first, the legal size, 8½ × 13, which, folded three times, fits into an ordinary size envelope or large filing box; the ordinary letter size, 8½ × 11, which folded twice, fits into the legal size envelope and ordinary letter file; the card size, 3½ × 5 or 7, which fits any of the larger envelopes or flat files.

For a flat filing system, which is usually far preferable to the envelope file, the letter size, 8½ × 11, is customary, though flat files are also made to hold the legal size, 8½ × 13. In either case, all sizes of paper smaller than the size of the file itself should be of the same width, 8½ inches, whatever the length.

The arrangement of type and space should be worked out carefully. Type-faces should be as nearly uniform as possible. All waste space should be eliminated. Different forms can be distinguished easily by using colored papers. All forms should be designated by number, printed in small figures in a prescribed place on each form.

LEGAL RECORDS KEPT BY THE CLERK

It is possible in all juvenile courts to draft the legal forms and to keep the legal records so that, while meeting the requirements of law, they will also represent the spirit and the procedure of the children's court. The following are the legal papers most commonly in use in the juvenile court:

1. *The complaint or petition* on which a child is brought to court. This is the usual legal size (8½ × 13 inches) setting forth the facts in the language of the statute and sworn to either by the complainant, a probation officer, or an attendance (truant) officer.

2. *The papers used to secure the attendance of children and witnesses in court:* (1) the subpena; (2) the summons, and (3) the warrant. The warrant is used in juvenile courts only after the summons has failed. In case the subpena (which is used for witnesses only) fails to bring in a witness, an order called an *attachment* is issued, under which the witness may be brought to court bodily by the sheriff.

3. *Papers used in making disposition of cases,* chiefly, commitment papers to institutions, of which one is usually delivered to the institution, and a duplicate signed by the institution's head as a receipt.

4. *Orders on institutions for release of children* who are to be returned to court for parole.

Practically no courts require legal papers for discharges or dismissals, or for the placing of children on probation. In some courts petitions in legal form are filed by the clerk when a probation officer desires to bring

a child back to court on a charge of violating his probation of parole. Usually, however, only a summons is used.

5. *The court docket,* usually kept in a book, arranged to provide one column for the names of the defendants, and a memorandum of the charge of delinquency or neglect, and another column for entering the court's finding and disposition. In some courts unfortunately the criminal terminology is still used, and the exact offense, such as larceny, burglary, etc., is placed after each name.

Under this method of preparing the docket, the clerk transcribes the judge's memoranda in legal form in a larger docket book. In many courts no docket book is kept, the dispositions being noted on the complaints or petitions. The clerk either writes out or typewrites in the docket book the disposition in legal terms or stamps the legal form with a rubber stamp on the complaint itself.

6. *The clerk's record system.* In most courts the clerk's records are kept in ledgers and books, indexed by *numbers of cases.* This is an old-fashioned and unbusinesslike system, for to find the name of a given child it is necessary to search through a long list of names beginning with the same letter, unless, of course, the inquirer happens to know the *number of the case* under which that child was heard in court.

Most courts follow the old-fashioned system of placing papers in pouches or wrappers, which are filed away by name or number in filing cases. The much preferable flat-filing system is rarely used by clerks of courts. In most courts the pouches or wrappers are filed away by

case numbers, because the chief consideration from a strictly legal standpoint seems to be not the child, but the case number. So if one child comes to court five times in a given year, he has five cases involving him filed in five places under five different numbers in the clerk's record. *That system should be changed to provide a card index of children's names, referring to the number of the pouches or folders containing all the information about any given child.*

The flat-filing system is the logical and business-like method. Filing the folders by numbers rather than alphabetically is to be preferred because at the end of a year the " dead " cases can be transferred and put out of the way. Under an alphabetical filing system, all the cases in court for many years must be kept together.

The most desirable method is for the clerk and probation officer to use a joint card-index system, alphabetically arranged and referring on the one hand to the number of the record about a child in the clerk's files and on the other hand to the number of the folder or envelope in the files of the probation office. In that way, both the clerk and the probation officer are able to secure information in regard to any child on a moment's notice.

THE PROBATION OFFICER'S RECORD AND FILING SYSTEM

Most probation office forms are poorly prepared and very irregularly kept. Even when they are well enough indexed to be readily found, the cards and papers are often written over in such a way as to be practically illeg-

ible; are allowed to become torn, blotted, or dirty, and altogether present a most unbusinesslike appearance. Business methods and system are essential to good work, for successful probation means in large part freedom from the annoyances of poorly arranged clerical work. In offices which do not have a good system it will be found a comparatively simple matter to secure, free of charge, the services of some office-supply company, which will be glad to map out a system, in the hope, of course, of securing some portion of the order for installation. Comparison of the suggestions of several such supply companies will usually result in the adoption of a well-conceived system.

Many probation offices are conducted in the same old-fashioned way in which many courts are carried on (the records kept in ink in books, the alphabetical index appearing page after page, the first letter only being alphabetically arranged) making it thus impossible to locate John Brown without going through several pages of B's. An intelligible system should be run, of course, on the alphabetical principle, or, when books are used for records of cases, on the loose-leaf principle. That method alone insures exact alphabetical order.

The names of all the children handled by the court or probation office should be recorded in a *general card index,* alphabetically arranged, on which the name and address of each child should appear, together with a reference to the file containing the papers in the case. The various papers in regard to any one child should be kept in one place. The system of flat-filing in an ordinary correspondence folder is much to be preferred over *en-*

velopes or pouches. The folding and wrapping of papers not only takes time, but soils papers and subjects them to greater damage than flat-filing. *If these flat files are numbered and kept in numerical order, it is then a simple matter to refer to any child by looking up his number on the alphabetical index card.* Such a numerical system of filing has the advantage over an alphabetical filing system of enabling each year's accumulation to be transferred to "storage boxes." Only the most active current cases, or at most the current year's cases and those of the preceding year, need to be kept at hand.

The system of indexing and filing outlined is the simplest that can be devised. It has been successfully worked out in several courts after conference with the representatives of a number of office supply houses, all of whom agreed that from the standpoint of time-saving and business efficiency, that system is best adapted to the work of the Juvenile Court. It has three manifest advantages: first, *the general card index offers a speedy and ready reference to every case at any time before the court;* second, *the flat-filing system, which can be kept in close proximity in filing cases, affords a neat and convenient method for keeping papers;* third, *only the active cases, to which frequent reference is made, need be kept immediately accessible.*

SPECIAL INDEXES

In addition to the system outlined, it is usually necessary in probation offices to have several special indexes. Certain groups of children under the court's jurisdiction often have to be looked up quickly or counted as a group.

For instance, the question continually is asked in large probation offices whether or not Will Jones or Sam Smith is on probation. To answer the question ordinarily requires a search for Will Jones' or Sam Smith's name in the index and a reference to the file, which would show the disposition in court. A much briefer method is to arrange an alphabetical card index of all the children on probation, noting the name of the officer in charge of each child. Such a card, at a glance, answers two important questions: first, whether Will Jones or Sam Smith is on probation, and, second, who is responsible for him. Again, the same question comes up in regard to children in institutions. A search would ordinarily have to be made in both index and file to give the answer. But a special index of all the children in institutions, alphabetically arranged by institutions, together with the date of commitment, answers that and related questions at once.

Where such indexes of children in care of the probation office, and children in the various institutions have been kept, they have been found invaluable in saving time and in expediting the work of probation officers. They are not difficult to keep up, even in a large court, provided a few minutes' time can be given to them each day by a clerk or stenographer. They would prevent the many instances of needless injustice done a child because "somebody forgot" that he was in the institution, or that he was on probation. One homeless child, ordered placed out in a family, but temporarily sent to an institution, was neglected for two years in the institution because there was no "active index" to show which of the court's

charges were there, and the child's "record" had long since been filed away.

There is other information which may well be kept by special indexes. For instance, a list of physicians who assist in treating the cases of children before the court; indexes of volunteer officers, interpreters, etc. The card index is superior even to the loose-leaf book, because it is always in place, whereas a book is frequently misplaced.

FORMS FOR USE IN PREPARING AND RECORDING CASES

In practically all courts two non-legal forms are necessary in presenting a case to the court by a probation officer — first, the written statement giving the story of the *offense or the condition* which brings a child to court; and, second, the history or investigation, which covers the *social facts of a child's life*. To these may be added in special cases a special form reporting the result of a medical examination.

The complaint which brings the child to court may be either a memorandum prepared by the probation officer; the regulation complaint furnished by the truant officer, or the form on which the police make their reports. In any event, these various forms should be uniform in size and cover the same general information in every case.

The history or investigation blank should contain all the essential facts about a child's life, as set forth on pages 35-36, under "investigation." This form can either be written out in ink or on the typewriter. The usefulness of a typewriter in presenting material to the

court is evident, and in cases in which it is used, the form for the recording of these data should be printed also on pencil paper so that from the original and corrected pencil copy, the final typewritten copy for the permanent record may be made.

FORMS USED IN SUPERVISION

The forms in common use in the supervision of children are — first, the card given to the child at the time he is placed on probation, or in cases of neglect given to a family placed under supervision; second, the instructions given to children regarding the rules of probation; third, blanks for reports from school or home.

Each probation officer must have a record of the children on probation to him or under his supervision. Frequently he lists the names of the children in a small book which he carries and in which he records memoranda. Large loose-leaf books are often used, containing the list of children, about whom memoranda are made after investigations and visits. *A better system than either, however, is the card index, filed in a small box or tray.* A card is made out for each child in the probation officer's care, containing the essential facts. Spaces are left for the insertion of the record of each visit or report. These cards are then filed in the box, not alphabetically by the names of children, but under the day of the month on which the officer expects to see the child again. *In this way the index combines an accurate record of each child's case, with a calendar of the work of the probation officer.* The card forms a ready reference of the progress of each child and can be taken from the box at a moment's notice.

It is a time-saving device and greatly simplifies the probation officer's work.

SPECIAL FORMS

The special forms in use in a probation office are usually — first, the complaint in the case of a violation of a parole; the recommendation for discharge from probation; the card signed by the judge in discharging a child from probation and presented to the child; and the application for parole or release from an institution, or for a change of custody in the case of neglected children. These forms are all self-explanatory.

FORMS USED BY PROBATION OFFICERS

Information prepared for the hearing of a case in court:

1. The direct complaint to the probation officer.
2. Unofficial complaint to the probation officer.
3. The police complaint.
4. The truant officer's complaint.
5. Card used for securing school record.
6. The record blank for the social investigation.
7. The medical examination.
8. Docket for use by chief probation officer in court.
9. Probation officers' investigation on an application for the release of a child from an institution.

THE DIRECT COMPLAINT TO THE PROBATION OFFICER

This blank is used for registering all complaints made direct to probation officers. It should be made out in duplicate — one for use of the investigating officer, and the other for filing. When such complaints are followed by a formal hearing in court, the statements are, of course, set forth at length in the investigator's report to the court of the condition complained of.

Juvenile Court

COMPLAINT BLANK

Date.....191....

Person or Condition Complained of } .....

Address .....

Complainant .....

Address .....

Complaint .....

I have investigated the above case and recommend .....

.....

Signed .....

(*Duplicate for investigator.*)

Juvenile Court

COMPLAINT BLANK

Date.....191....

Person or Condition Complained of } .....

Address .....

Complainant .....

Address .....

Complaint .....

.....

Referred to .....

By .....

(*Original*)

THE UNOFFICIAL COMPLAINT TO THE PROBATION OFFICER

Recommended for use in those courts which permit the chief probation officer to hear complainants and defendants before deciding on further action, such as the filing of a formal complaint in court.

This card is used as the office-record of unofficial complaints; filed alphabetically.

UNOFFICIAL COMPLAINT

Date.....

Name .....Address .....

Age .....Nationality .....Creed ..... Race .....

School ..... Employer.....

Father .....

Mother .....

Complaint .....

.....

Hearing: Date.....Action taken: .....

.....

Complainant .....

Address .....

NOTICE MAILED TO THE PARENT TO APPEAR

JUVENILE COURT.
Court House. ....., 191....

To .....

.....

You are hereby requested to appear in the office of the Juvenile Court and bring with you your { son / daughter }....., on the ..... day of ....., 191...., at the hour of ....., in regard to a complaint that has been made about { him / her }, relating to .....
This is not a hearing before the judge, but a private inquiry by the probation officer to give you and your child an opportunity to tell your story. Failure to comply with this request will cause a summons to be issued for a formal hearing in court.

Yours truly,

.....

Chief Probation Officer.

THE POLICE COMPLAINT

This form is the copy of a police letter in use in a large city. Such a letter is sent to the probation officer at once in the case of every child taken into custody and held. It is an example of the kind of complete information the police should furnish in every case.

DEPARTMENT OF POLICE

City of .....

Fifth District

Col. William Young, July 21st, 1912.
Chief of Police,

Sir:—

About 2 o'clock this P. M., Officer James Hughes of this district, took into custody Robert Dohrendorf, age 13 years, U. S., school boy, residing with his mother Ida Dohrendorf, (father dead), at 1522 N. 18th street; Sidney Roy, aged 12 years, U. S., school boy, residing with his aunt Mrs. Ella Dankhof, (parents dead), at 1636 N. 18th street, and John Renkouske, age 13 years, U. S., school boy, residing with his parents Frank and Anna Renkouske at No. 1421 N. 19th street, on complaint of August Franz, who conducts a confectionery at No. 1808 Madison sts., and who states that at about 2 P. M., on the 20th inst., the above named boys raised and climbed through a rear alley window into his store and stole from a cash drawer under a counter, a cloth sack containing $1.77 in pennies, which the boys admit taking. Dohrendorf and Roy were taken to the House of Detention pending action of the Juvenile Court, and Renkouske was turned over to the Fourth District where he is wanted for the theft of about six dollars worth of newspapers this A. M.

Respectfully,

JAMES JOHNSON,
Captain Commanding District.

Pat'n. James Hughes
—:W:—

Forms

THE TRUANT OFFICERS' STATEMENT

School attendance officers bringing cases to the juvenile court should furnish all the information they have to aid the probation officers in making their investigations. This blank provides for all essential information.

REPORT TO THE PROBATION OFFICER

Date.....

To the Chief Probation Officer of the Juvenile Court:

I have this day filed a petition in the case of .....
Age..... Address ....., a child under the age of 17 years, charging { neglect / delinquency } in that .....
.....
.....
Name of father .....Address.....
Occupation .....Religion.....
Name of mother .....Address.....
Occupation .....Religion.....
Other relatives and addresses .....
.....
School record .....
Attendance .....days out of ..... at .....School
Conduct .....Scholarship .....
Habits .....
Remarks .....
Witnesses .....
.....
.....
.....

Very respectfully yours,

.....
Assistant Attendance Officer.

Approved ....., 19.....
.....
Chief Attendance Officer.

CARD USED FOR SECURING THE SCHOOL RECORD

Reply post-card sent to principals of schools for the record of a school-child who is to appear before the court.

JUVENILE COURT

City .....

Principal ..... *School*

Will you kindly furnish us by return mail on the attached card whatever information you have of the school record of .....

while in your school?

Very truly yours,

.....

Record of ..... *in the* .....*School, grades*.....

(dates) .....

Conduct .....

Attendance .....

Scholarship .....

Remarks: .....

.....

(Signed) .....

Principal.

Date .....

THE RECORD BLANK FOR THE SOCIAL INVESTIGATION

The social investigation covers all the essential facts regarding a child to be heard, embodying the results of the probation officer's investigation. This is the most important form in use in the court.

Juvenile Court of ..... Form 1.

File No.....

REPORT OF PROBATION OFFICER IN THE CASE OF

..... Race .....

Address ..... Born ..... (Age ...) at .....

Country of birth of father ..... of mother .....

1. FAMILY

Name	*Relation*	*Age*	*Occupation*	*Weekly Wages*	*Religion*	*Remarks*
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....

Remarks .....

2. HOME AND NEIGHBORHOOD.

Type of dwelling .....Floor .....No. rooms ..... Rent per month .....

No. persons in household .....Lodgers or boarders .....

Sanitation in home .....Moral conditions in home .....

Lived here how long .....Previous addresses .....

.....

Remarks .....

3. SCHOOL.

Age	*Name of School*	*Grade*	*Attendance*	*Conduct*	*Scholarship*	*Remarks*
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....

Remarks .....

4. Employment.

Dates	*Employer*	*Address*	*Kind of Work*	*Hours*	*Weekly Wages*	*Remarks*
.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....

Remarks .....

5. Church and Other Organizations.

Name	*Pastor, Teacher or Leader*	*Remarks*
Church	.....	.....
Sunday school	.....	.....
Club or settlement	.....	.....
Playground	.....	.....

Remarks .....

6. Character and Habits.

Associates .....Amusements .....

Evenings spent where .....School vacation spent .....

Special interests .....Sundays spent .....

Special abilities ..... Run away ..... Ever sleep out .....

Disobedient ..... Steal ..... Gamble .....Use Tobacco .....Use Liquor.....

Other habits and remarks .....

.....

7. Physical and Mental Condition.

Heredity (epilepsy, feeble-mindedness, insanity, chronic alcoholism, etc.)..... Nourishment.....

General health .....Physical defects .....

Eyes .....Ears ..... Nose and throat .....Teeth .....Skin-disease .....Venereal dis.....

Vermin .....Secretive .....Social .....Affectionate .....Selfish .....Irritable.....

Self-controlled.....Lazy .....Vain .....Conscientious .....Easily influenced .....

Remarks .....

8. General Summary Statement.

.....

.....

.....

9. Sources of Information.

.....

.....

.....

(Signed) .....

Probation officer.

10. Court Record.

Arrest or Summons	*Charge or Cause*	*Hearing*	*Disposition*
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

THE MEDICAL EXAMINATION

This blank covers both the physical and mental examination. It provides for an all-around medical statement of the exceptional child. Reports covering one factor only such as a skin disease, venereal disease, can be best made on the regular investigation blank, where a brief statement of physical and mental condition is provided for.

MEDICAL EXAMINATION

Name of child .....Nationality .....

Address .....Date of Birth.....

I. FAMILY (include all members of immediate group whether alive or dead).

Name	*Relation to child*	*Remarks (Alcoholism, insanity, syphilis, cancer, tuberculosis, or other).*
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

II. HOME CONDITIONS.

Type of dwelling .....Floor .....Porch or yard.....

No. rooms .....No. dark .....No. persons .....

Sleeping arrangements .....

Sanitary condition .....Lived here how long.....

Forms

III. Physical Conditions and History (sources of information).

Height .....Weight .....Walking age .....Talking age.....
Growth and nourishment .....
Defects or past diseases of eye .....ear .....nose .....
Throat ..... Past diseases ..... Injuries .....
Heart .....Lungs .....General system .....
Habits: Sleep .....Food .....

IV. Statement of Factors in family, environment, and habits of child unfavorable to physical and mental development.

.....
.....
.....
.....

V. Present Mental Condition.

Physical evidence (stigmata) .....
Diagnosis .....
Treatment recommended .....
Prognosis .....
Sources of information .....
Examination made, (Date).....By .....M. D.

Docket for use by chief probation officer in court

Juvenile Court Form.

DOCKET FOR .....

Name	*File No.*	*Charge*	*Remarks*	*Disposition*
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Probation officers' investigation on an application for the release of a child from an institution.

Juvenile Court Form.
Date.....

APPLICATION FOR the { release / parole } of .....
from the .....on behalf of.....
Address ..... (Relation.)

I. *Recommendations of the Institution:*

1. I have come in contact with this child on an average of.....
hours a { day / month / week } for a period of .....
Under my observation .....
.....
Name .....Position .....

2. I have come in contact with this child on an average of.....
hours a { day / month / week } for a period of .....
Under my observation .....
.....
Name .....Position .....

3. General record in the institution: .....
.....

II. *Recommendations of Probation Office:*

1. Investigation: .....
.....
.....
.....I would.....recommend .....
.....
Assistant Probation Officer.

2. I have examined the facts in this case, and recommend.....
.....
.....
Chief Probation Officer.

INSTRUCTIONS GIVEN TO CHILDREN BY THE COURT

1. Card given to a child placed on probation.
2. Card given to a child paroled from an institution.
3. Card given to a neglected child placed under supervision.
4. Card given to a child upon discharge from probation or parole.

CARD GIVEN TO A CHILD PLACED ON PROBATION

This card should be given to children placed on probation, together with the cards to be filled out by parent and teacher as reports to the probation officer. This card bears the probation officer's name on the back and the date of the next report is written down on the back of each card.

Juvenile Court Form

To .....

You are put on probation by the court to help you do better. If you do well and continue doing so, you will be taken off probation; if not, you may be sent away to school for special training.

1. Report to the probation officer on the days shown on the back of this card.

2. Every time you come, bring your reports filled out. These reports will be stamped to show they were received. You should return them to the persons who signed them.

3. If you cannot report for any good reason, please telephone or write AT ONCE to the Probation Officer, Court House. The office is open every day except Sunday, from 9 a. m. to 5 p. m., and also on Thursday evenings from 7:30 to 9:30.

4. If you fail to report or let your probation officer hear from you, he is instructed to send for you.

5. Be sure to let your probation officer know at once of any change in your address, school or employment.

Always bring this card with you.

.....
Judge.

Date .....

CARD GIVEN TO A CHILD PAROLED FROM AN INSTITUTION

This card (of a different color than that used for probation) is to be given to a child paroled from an institution under the supervision of a probation officer of the court.

Juvenile Court Form

To .....

You are paroled by the Court under the supervision of a probation officer. If you do well, and continue doing so, you will be released from supervision; if not, you may be sent away to school again.

Please follow these instructions *carefully:*

1. Report to the probation officer on the days shown on the back of this card.

2. Every time you come, bring your report filled out. These reports will be stamped to show they were received. You should return them to the persons who signed them.

3. If you cannot report for any good reason, please telephone or write AT ONCE to the Probation Officer, Court House. The office is open every day except Sunday, from 9 a. m. to 5 p. m., and also on Thursday evenings from 7:30 to 9:30.

4. If you fail to report or let your probation officer hear from you, he is instructed to send for you.

5. Be sure to let your probation officer know at once of any change in your address, school or employment.

Date .....

.....

Judge.

CARD GIVEN TO A NEGLECTED CHILD PLACED UNDER SUPERVISION

The chief purpose in giving such a card to a child under supervision is to make plain to parents the order of the court, and to carry the name of the officer designated to help the child.

Form 1

JUVENILE COURT — City of (———)

To .....

You are placed under the supervision of this Court in order to help you and your family. The probation officer named on the back of this card will come to visit you in your home from time to time.

Date ..... (Signed).....
Judge.

CARD GIVEN TO A CHILD UPON DISCHARGE FROM PROBATION OR PAROLE

Form 2

JUVENILE COURT — City of (———)

To .....

You are hereby released from the supervision of this Court, having earned your release by continued good conduct.

Date ..... (Signed).....
Judge.

FORMS USED BY PROBATION OFFICERS IN THE SUPERVISION OF CHILDREN

1. The record card, kept for each child.
2. The school report.
3. The parent's report.
4. Notices to report.

THE RECORD CARD KEPT FOR EACH CHILD

This card is recommended for use in supervising every child. The card is made out and placed in a desk filing-box. These cards are arranged in an index showing the days of the month, so that the cards of all children to be seen on a given day are together. All the facts necessary to record in supervising a child can be kept on this blank. Special information can be recorded on the "history blank" in the files of the case. The "number" column shows at a glance the frequency of visits or reports, using the letter "v" for a visit to the home. The "grade" marking is recommended as an index of progress, and to estimate the probation officers' opinion of conditions at each visit or report. The "record" contains any memoranda, especially the gist of the school and parent's reports.

Form 3-A

Name .....Born.....Reporting to .....

Address .....File No. .....

Name of father .....Mother .....

School .....

Employer .....

Court Record .....

Remarks .....

.....

No.	DATE	GRADE	RECORD	No.	DATE	GRADE	RECORD

No.	DATE	GRADE	RECORD	No.	DATE	GRADE	RECORD

SCHOOL REPORT

Form

Name .....School .....
Report for the period from.....to .....
Attendance .....
Conduct .....
Scholarship .....
Remarks .....
.....
Date .....(Principal or Teacher) .....

Any additional information may be written on back of this card.

THE PARENT'S REPORT

Form

The probation officer is trying to help your boy to do better, and a *full statement* from you will assist him very much. Parents are kindly requested to answer the following carefully:

Conduct at home is .....
.....
Spends evenings where? .....Bed-time?.....
Spent last Sunday where? .....
Spends spare time where? .....
Absent from school or work? .....Why?.....
Remarks: .....
.....
.....
Date .....Parent's signature.....

NOTICES TO REPORT

Form

PROBATION OFFICE

City Hall, ...

You did not report as directed on .....

Please come and see me on .....at ..... o'clock without fail. If you are unable to come, let me know *at once* by mail or telephone. (Insert 'phone number here.)

Yours very truly,

Form

PROBATION OFFICE

City Hall, ...

Kindly come to see me at this office on ..... between ..... o'clock. If you have any reason for not coming, let me know at once by mail or 'phone (Insert 'phone numbers here).

Very truly yours,

REPORTS OF PROBATION OFFICERS

1. Monthly report of each officer on all children under his supervision.
2. Monthly report of chief probation officer, showing disposition of all cases before the court; the children in charge of the probation officers, and children in institutions subject to court order.
3. Monthly report in less detail than No. 2 for transmission to a state supervisory body.
4. Weekly report of probation officer showing work and hours of service.
5. Volunteer officer's report on a child, covering a period of supervision.
6. Volunteer officer's report, to be used for each visit or interview with child.

Monthly Report of Each Officer on all Children under His Supervision

PROBATION OFFICER'S MONTHLY REPORT

Month of .....

	Totals	*Boys*	*Girls*
1. TOTAL CHILDREN UNDER SUPERVISION 1ST OF MONTH (as shown by report of previous month)	.....	.....	.....
2. ADDITIONS:			
(1) *Delinquents*	.....	.....	.....
a. From court	.....	.....	.....
On probation	.....	.....	.....
On parole from institutions	.....	.....	.....
b. By transfer from other officers	.....	.....	.....
(2) *Neglected*	.....	.....	.....
a. From court	.....	.....	.....
b. By transfer from	.....	.....	.....
3. REMOVALS:			
(1) *Delinquents*	.....	.....	.....
a. By court discharge	.....	.....	.....
From probation	.....	.....	.....
From parole	.....	.....	.....

b. By commitment for violating prob. or parole			
Probation			
Parole			
c. By transfer to			
(2) *Neglected*			
a. By court release from supervision			
b. By commitment to institutions			
c. By transfer to			
4. Total Under Supervision Last Day of Month:			
(1) *Delinquent children*			
On probation			
On parole from institutions			
(2) *Neglected children under supervision*			
(3) *Children whose whereabout are unknown*			

(Signed) .....

Probation Officer.

Date .....

MONTHLY REPORT OF CHIEF PROBATION OFFICER

Showing disposition of all cases before the court; the children in charge of the probation officers, and children in institutions subject to court order.

Month of .....

	Totals	Boys	Girls	Percentages
I. Dispositions of Court Cases.				
Total number of children before the court				
1. *Delinquent children*				
a. Placed on probation				
b. Committed to institutions				
Industrial School				
Training School and State Industrial Home				
Private institutions				
c. Fined or costs assessed				
d. Discharged or dismissed				
e. Placed out in families				
f. All other dispositions				
2. *Neglected Children*				
a. Placed under supervision				
b. Committed to institutions or societies				
Public				
Private				
c. Placed out in families				
d. Dismissed				

II. PROBATION OFFICE.				
1. *Total delinquent and neglected children in care of probation office last day of month*				
1. Delinquent				
On probation				
On parole from institutions				
2. Neglected children under supervision				
3. Children whose whereabouts are unknown				
2. *Additions during month*				
1. Delinquent				
On probation				
On parole				
2. Neglected				
3. *Removed from care of probation office during month*				
1. Delinquent				
a. By discharge in court				
b. By commitment for violating probation or parole				
2. Neglected				
a. By release from supervision				
b. By commitment to institutions				
III. INSTITUTIONS. Total number on last day of month				
1. *Delinquent*				
Training School and State Industrial Home				
Industrial School				
Etc., all institutions				
2. *Neglected*				
Public institutions				
Private institutions				
(Naming all institutions)				

I hereby certify that this report is correct.

Date ..... (Signed) .....

Chief Probation Officer.

Monthly report in less detail than No. 2, for transmission to a state supervisory body.

STATE BOARD OF CHARITIES AND CORRECTIONS

Report of the Juvenile Court of ..... County for the Month ending .....191....

	Total	*Boys*	*Girls*
I. Disposition of Court Cases.			
1. *Total number children before court*	.....	.....	.....
2. *Delinquent children*	.....	.....	.....
a. Placed on probation	.....	.....	.....
b. Committed to institutions	.....	.....	.....
c. Fined or costs assessed	.....	.....	.....
d. Discharged or dismissed	.....	.....	.....
e. Placed out in families	.....	.....	.....
f. All other dispositions	.....	.....	.....
3. *Neglected children*	.....	.....	.....
a. Placed under supervision of probation office	.....	.....	.....
b. Committed to institutions	.....	.....	.....
c. Placed out in families	.....	.....	.....
d. Dismissed	.....	.....	.....

II. Probation Office.			
1. *Additions during month*			
2. *Removals during month*			
a. By court discharge or removal from supervision			
b. By commitment to institutions			
3. *Total number under supervision*			
a. Delinquent			
b. Neglected			
c. Whereabouts unknown			
III. Institutions.			
Total number of children in institutions at end of month			
a. Delinquent			
(1) State institutions			
(2) Local institutions			
b. Neglected			
(1) Public institutions			
(2) Private institutions			

I hereby certify this report to be correct.

.....
Chief Probation Officer.

Date .....

WEEKLY REPORT OF PROBATION OFFICER

Showing Work and Hours of Service (Fora card index file).

Probation Officer ..... Week Ending .....191....

REPORT OF HOURS OF SERVICE AND WORK DONE

DAY	Left Home	BEGAN WORK		STOPPED WORK		Lunch Hour		IN COURT		Estimated time spent in travel	Net Hours Worked	Car Fare Paid
	Time	Time	Location	Location	Time	From	To	From	To			
Monday.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tuesday.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wed'y...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Thur'y..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Friday...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sat'y....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
TOTALS FOR WEEK,												

I hereby certify that the above report of time and service is correct. .....
Probation Officer.

Two forms of postal-card report are given for the use of volunteer officers. The first form is for use where reports are required from volunteers at regular intervals. The second is for use where volunteers assist the regular officers and report the facts whenever they interview the child.

VOLUNTEER OFFICER'S REPORT

To the Probation Officer:
Report on ..... for the period
..... to .....
Home .....School .....
Employment .....
Remarks: .....
.....
Reports: .....Visits to home.....
(Signed) .....
Date: .....

(*Volunteer officer's report on a child, covering a period of supervision.*)

VOLUNTEER OFFICER'S REPORT

Date of visit .....
Length of visit .....
Place of visit .....
Conduct has been .....
School or employment report .....
If absent from either, why? .....
Where does he spend Sundays and evenings?.....
Remarks: .....
.....
(Signed) .....
Date .....

(Any additional information may be written on reverse side of this card.)

(*Volunteer officer's report, to be used for each visit or interview with child.*)

Forms

CARD INDEX FORMS

1. Alphabetical index of all children before the court.
2. Index to wards of the court, either under supervision of probation officers, or in institutions subject to court order.

INDEX OF WARDS OF THE COURT

Either under supervision of probation officers, or in institutions subject to court order. From these cards are made up the monthly reports on children in institutions. The index serves as a check also on the reports of the probation officers.

Form

Name .....File No.....
.....
Address .....
.....
.....
.....
.....
.....
.....
.....
.....

ALPHABETICAL INDEX OF ALL CHILDREN BEFORE THE COURT

Nothing is needed on the alphabetical index card, other than the child's name, (nickname or alias) address (for purposes of identification) and the file number, for reference to complete information.

Form

Name .....File No.....
Disposition .....
.....
.....
.....
.....
.....
.....
.....

FORMS RECOMMENDED FOR USE AT THE DETENTION HOUSE

1. The written promise signed by the parent of a child released before hearing in court.
2. Record card kept for each child brought to the Detention House.
3. Consent of parent for local examination of a girl.
4. Monthly report on number of children in detention each day; number of meals served and lodgings furnished.
5. Monthly report on number of children received and released.

THE WRITTEN PROMISE

Signed by the parent of a child released before hearing in court.

JUVENILE DETENTION HOME Telephone 3836

.....191....

I, ... (father) (mother) of ..... now held in the Juvenile Detention Home do promise and agree to produce said child before the Judge of the Juvenile Court on day set for hearing.

Signed .....

Witness: .....

Forms

Record card kept for each child brought to the detention house. Cards of children in detention kept in a desk filing box during their stay, and then transferred to an alphabetical card-index file. Cards of a child brought in more than once to be clipped together.

HOUSE OF DETENTION

..... Juvenile Court.
Name .....Age.....
Address .....
Name of father .....Address.....
Name of mother .....Address.....
Wanted in Juvenile Court .....(A. M.-P. M.)
(Day of Week).....(Day of Month).....
Cause: (Give brief particulars) .....
Physical Condition: .....
Temperature .....Pulse .....Respiration.....
Officer taking into custody .....
Received .....(Day).....(Hour).....
Released to .....
..... (Day).....(Hour).....
Remarks: .....
.....

CONSENT OF PARENT FOR LOCAL EXAMINATION OF A GIRL

JUVENILE DETENTION HOME

.....191....
I, ... (father) (mother) of
..... do hereby give my consent
to have my daughter ..... examined locally
by the City Physician, Dr. .....
Signed .....

Monthly report on number of children in detention each day; number of meals served and lodgings furnished.

HOUSE OF DETENTION

REPORT FOR MONTH ENDING .....

	MEALS					LODGINGS
	Total Children	Breakfast	Dinner	Supper	Employees	Children Only
Total No. Lodgings and Meals						
1st.						
2nd.						
3rd.						
4th.						
5th.						
6th.						
7th.						
8th.						
9th.						
10th.						
11th.						
12th.						

13th.						
14th.						
15th.						
16th.						
17th.						
18th.						
19th.						
20th.						
21st.						
22nd.						
23rd.						
24th.						
25th.						
26th.						
27th.						
28th.						
29th.						
30th.						
31st.						
Average Lodgings and Meals						

Juvenile Courts and Probation

Monthly report on number of children received and released.

HOUSE OF DETENTION

REPORT FOR THE MONTH ENDING .....

	Total	*Boys*	*Girls*
I. TOTAL ADMISSIONS			
1. *As Delinquents*			
(*a*) By Police Officers.....			
(*b*) By Probation Officers...			
(*c*) By Attendance Officers.			
(*d*) By Sheriff			
(*e*) By All Others			
2. *As Neglected*			
(*a*) By Police Officers.....			
(*b*) By Probation Officers...			
(*c*) By Attendance Officers.			
(*d*) By Sheriff.....			
(*e*) By All Others			
II. TOTAL RELEASES			
1. *As Delinquents*			
(*a*) To Relatives on Bond..			
(*b*) To Court			
(*c*) To Institutions on Order of Court			
(*d*) To All Others			
2. *As Neglected*			
(*a*) To Relatives on Bond..			
(*b*) To Court			
(*c*) To Institutions on Order of Court			
(*d*) To All Others			

for securing the attendance of children, parents and witnesses in court, for committing to an institution, and for bringing a child before the court. The forms recommended are couched in the briefest terms and in simple language.

1. Petition to bring a child before the court.
2. Subpœna.
3. Summons.
4. Warrant of arrest.
5. Writ of attachment.
6. Commitment to an institution.
7. Release from an institution.

Juvenile Courts and Probation

Only one legal form need be used in bringing any child before the court for any cause whatever. This form covers all varieties of cases, and meets all legal requirements.

PETITION IN THE JUVENILE COURT OF .....

To the Honorable Judge of the Juvenile Court of .....:

You petitioner, a resident of said { City / County }, respectfully represents that ....., a child under the age of ..... years in the custody and control of ....., who resides at ....., is a { delinquent child / neglected } within the meaning of the law, in that .....
.....
.....
.....
.....
.....
.....
.....

Your petitioner therefore prays the Court to inquire into the matters herein set forth and to make such orders in the premises as to the Court may seem proper and for the best interests of the child.

.....
Petitioner.

State of .....
} ss.
County of .....

I, the undersigned petitioner, being duly sworn, upon oath state that the facts stated in the above petition are true to the best of my information and belief.

.....

Sworn to and subscribed before me this ..... day of ....., 19.....

.....
Clerk.

By.....
Deputy.

Forms

Subpœna, used to secure the attendance of witnesses.

JUVENILE COURT — SUBPŒNA

Court House, ... City.
State of .....

To .....
(Address) .....

You are hereby summoned to appear before the judge of the Juvenile Court, at the above place, on the ..... day of ..... 19..., at ..... o'clock ...M., to testify in a certain proceeding in relation to .....

WITNESS, ..., Clerk of the Juvenile Court of the City of ....., this ..... day of ....., 19....

.....
Clerk.

By .....
Deputy.

Executed the within subpœna, in the City of ....., on this, the ..... day of ....., 19.....

(Signed) .....

Summons, used to secure the attendance of parent and child.

JUVENILE COURT — SUMMONS

State of .....:

To .....

YOU ARE HEREBY COMMANDED to appear before our Juvenile Court (address) ....., at the City of ..... on the ..... day of ....., 1911, at 9:00 o'clock A. M., and bring with you ..... a child charged with being a { delinquent child, then and there to abide such order touching the { neglected welfare of said child as to the Court may seem best.

WITNESS, ... Clerk of the Juvenile Court, this ..... day of ....., 19.....

.....
Clerk.

By .....
Deputy.

Warrant, used to secure the attendance of child, after the failure of a summons.

JUVENILE COURT — WARRANT

State of .....

In the matter of

.....

vs.

.....

Commonwealth of .....

To any officer authorized by law to execute this Warrant:

GREETING:

WHEREAS, it has been represented to the Honorable Judge of this Court by ....., in a petition duly verified, that ..... is believed to be a { delinquent child, / neglected } and whereas the said Court has found that service of summons will be ineffectual, and has ordered a warrant issued against ....., and whereas said Court has appointed the hearing of said petition for the ..... day of .....; A. D. 19...., at ....M.:

You are therefore hereby commanded to take said child and to have it on the ..... day of ..... A. D. 19...., at ....M., before said Court.

And have you then and there this Writ, and make due service as the law directs.

WITNESS, ..., Clerk of said Court, this ..... day of ....., A. D., 19.....

.....
Clerk.

.....
Deputy.

Forms

Writ of attachment, used to secure the attendance of witnesses after failure of a subpœna.

JUVENILE COURT — WRIT OF ATTACHMENT

The State of .....:

To any officer authorized by law to execute this Attachment:

We Command You to attach ..... by his body, and him safely keep, so that you have his body before the Judge of our Juvenile Court of ..... County ....., at the County Court House in ....., on the ..... day of ..... A. D., 19...., at ..... o'clock ...M., then and there to answer for a contempt in not appearing in obedience to a summons issued in the cause now pending in our said Court in the matter of .....

Witness, ... Clerk of the Juvenile Court, this ..... day of ....., 19.....

.....
Clerk.

By .....
Deputy.

RETURN

Executed the within writ, in ..... County, ..., on the ..... day of ....., 19...., by .....

Commitment delivered, with the child committed, to the superintendent of the institution.

JUVENILE COURT—COMMITMENT

The State of .....
To ....., Greeting:
WHEREAS, by the order of the Juvenile Court of ..... County, at ....., made on the ..... day of ..... 19 ...., adjudged ..... to be a { delinquent child, was committed to your custody and control, subject to the orders of this Court:

This is to authorize you to take charge of and properly care for said child until the further order of the Court.

WITNESS, ..., Clerk of the Juvenile Court, City of .....
this ..... day of ..... 19...
.....
Clerk.
By .....
Deputy.

(Duplicate received and returned as follows:)

Received into my custody the ..... day of ..... 19..., the above named .....
.....
Superintendent.

Release, directed to the superintendents of institutions and other persons having the custody of children wanted in court.

Juvenile Court, City of .....
To .....
Supt., ... Industrial School:

This is to direct you to cause to be brought before the Juvenile Court on ..... 19..., at ..... o'clock, ... heretofore committed to your custody.

WITNESS, ..., Clerk of the Juvenile Court, City of .....,
this ..... day of ....., 19....
.....
Clerk.
By .....
Deputy.

ORDERS OF COURT ENTERED IN THE CLERK'S DOCKET BOOK

1. Order making a child a ward of the court and placing him or her under control of the probation officer.
2. Order making a child a ward of the court and committing him or her to the custody of an institution or individual.
3. Order changing the custody of a ward of the court.
4. Order discharging a child.
5. Orders discharging a child from supervision, probation or parole.
6. Blanket order relating to a complaint.

The memoranda made by the judge on each petition, or the order given the clerk, are transcribed in legal form in a "docket book," the forms being usually prepared on rubber stamps and filled in. Special orders, such as those requiring payment of restitution, maintenance of children and the like, vary so greatly that they are better written out for each case, if entered at all. Often they are made only orally as a condition of probation, without formal record.

ORDER MAKING A CHILD A WARD OF THE COURT AND PLACING HIM OR HER UNDER CONTROL OF THE PROBATION OFFICER.

IN THE MATTER OF .....

Now, on this ..... day of ..... comes ....., who brings into Court ....., age of ..... years, who is charged with being a { neglected / delinquent } child, said child appearing by and with his { father / mother / guardian } who has legal custody and control of said child, and the court after hearing the evidence and being fully advised in the premises finds that said child is a { neglected / delinquent } child within the meaning of the law.

It is therefore ordered by the Court that the said child be and remain a ward of the Court, that he be permitted to go hence subject to the supervision of the Probation Officer, to be returned to Court for further proceedings herein whenever by the Court such action is deemed for the child's best interests.

ORDER MAKING A CHILD A WARD OF THE COURT AND COMMITTING HIM OR HER TO THE CUSTODY OF AN INSTITUTION OR INDIVIDUAL.

IN THE MATTER OF .....

Now, on this ..... day of ..... comes ....., who brings into Court ....., age of ..... years, who is charged with being a { neglected / delinquent } child, said child appearing by and with his { father / mother / guardian } who has legal custody and control of said child, and the court after hearing the evidence and being fully advised in the premises finds that said child is a { neglected / delinquent } child within the meaning of the law.

It is, therefore, ordered by the court that said child be and remain a ward of the court, and that { he / she } is hereby committed to ..... to remain there until further order of the court.

ORDER CHANGING THE CUSTODY OF A WARD OF THE COURT

This form can be used in a great variety of circumstances, in fact for every order made from the time a child becomes a ward of the court until dismissal. It covers parole from an institution to parents, violation of probation and commitment to an institution, change from one institution to another, etc., etc.

IN THE MATTER OF .....

Now, on this ..... day of ..... comes ....., who brings into Court ....., who is a ward of the Court, heretofore adjudged { neglected / delinquent } and ..... { his parent / her guardian }, and it appearing to the court from the evidence this day adduced touching the welfare of said child that it would be to { his / her } best interests to be removed from the care and custody of ..... and placed in the care and custody of ....., it is hereby ordered by the court that said child be committed to the care and custody of ..... there to remain until further order of court.

BLANKET ORDER RELATING TO A COMPLAINT

(Order discharging child.)

IN THE MATTER OF .....

It is ordered by the Court that said child be discharged.

(Orders discharging a child from supervision, probation or parole.)

IN THE MATTER OF .....

It is ordered by the Court that said ..... be discharged from { parole / probation }.

IN THE MATTER OF .....

It is ordered by the Court that said ..... be discharged from the further supervision and control of this court.

IN THE MATTER OF .....

It is ordered by the Court this cause shall be .....

ABBREVIATIONS IN COMMON USE IN JUVENILE COURTS

It is essential to save time and space in keeping records. The forms given are all predicated on the extensive use of abbreviations. In order to secure some uniformity, these abbreviations are recommended for words in common use in Juvenile Courts:

Relationships

b. ..... boy
bro. ..... brother
ch. ..... child
chn. ..... children
f. ..... father
f. or fam. ..... family
g. ..... girl
h. ..... home
m. ..... mother
neigh. ..... neighbor
sis. ..... sister

Housing

b.h. .....boarding house
f.r. .....furnished room
res. ..... residence
ten. ..... tenement

Common Words

cd. ..... post card
ex. ..... excused
exc. ..... excellent
fr. ..... from
gr. ..... grade
hab. ..... habitual
im. ..... immediately
incor. ..... incorrigible
indef. ..... indefinite
inf. ..... information
inv. ..... investigation
mo. ..... month
prin. ..... principal
reg. .....regular or regularly
rel. ..... release
rep. ..... report
s. or sch. ..... school
temp. ..... temporarily
tr. ..... truant
w. ..... with
wk. ..... week or work
wkg. ..... working

Court Phrases

A. Off. ..... Attendance Officer
Com. ..... Committed
Cont'd ..... Continued
Ct. ..... Court
Del. ..... Delinquent
Dist.P. ....Disturbing the peace
F.I. .....Factory Inspector
H. of D.....House of Detention
Neg. ..... Neglected
Off. ..... Officer
Par. ..... Parole
P.D. ..... Police Department
P.O. ..... Probation Officer
Prob. ..... Probation
Sup. .....Supervision
V.C.O. Violating City Ordinance
V.P.O. .....
Volunteer Probation Officer

Race and Religion

Am. ..... American
C. or Col. ..... Colored
Cath. ..... Catholic
Eng. ..... English
Ger. ..... German
It. ..... Italian
Jew. ..... Jewish
Pol. ..... Polish
Prot. ..... Protestant
W. ..... White

APPENDIX

I. LAWS AND RULES OF COURT

1. Proposed Model Juvenile Court Law
2. Proposed Law for Dealing with Adults who Contribute to the Delinquency or Neglect of Children
3. Rules of Court Governing the Place of Detention
4. Rules of Court Governing the Probation Office

II. SELECTED REFERENCES

APPENDIX

The drafts of laws and rules herewith submitted are selected as embodying in the main the best provisions thus far incorporated into juvenile court laws and rules. We have already pointed out that absolute uniformity throughout the states is not possible. Common agreement may be secured, however, on certain fundamental principles and these may be gathered from the drafts printed herein. The legislature of Missouri in 1913 (Session Laws, 1913) passed a juvenile court law that is desirable in many particulars. It is based on the law applicable to the City of Rochester, passed by the legislature of New York, 1910. This law is published in "Juvenile Court Laws of the United States Summarized" edited by Hastings H. Hart and published by the Russell Sage Foundation.

The suggestions for a general law draw on both the Missouri and Rochester law, and, in our opinion, are an improvement on both. It would be desirable as nearly as possible to approximate this draft. We repeat what we have indicated elsewhere:

(a) That the jurisdiction of the juvenile court should be sufficiently broad to enable it to hear all cases involving children, i.e., cases of delinquency, neglect, truancy, and violations of child labor laws.

(b) The court should have exclusive jurisdiction over

adults who contribute to the delinquency or neglect of children.

PROPOSED MODEL JUVENILE COURT LAW

AN ACT conferring jurisdiction upon the county court to adjudicate upon all cases of children under eighteen years of age who are delinquent, neglected or otherwise subject to the discipline or in need of the care and protection of the State; and regulating the procedure in such cases, including the establishment of a detention home, a probation system, the appointment of guardians for such children, and to punish any adult who may encourage, aid, cause, abet or connive at such state of delinquency or neglect.

The people of the State of ....., represented in Senate and Assembly, do enact as follows:

SECTION I. COUNTY COURT — JURISDICTION — CONSTRUCTION OF ACT

The county court shall have original and exclusive jurisdiction of all cases coming within the terms and provisions of this act. For the purposes of this act, such court may be called the juvenile court. This act shall be construed liberally and as remedial in character; and the powers hereby conferred are intended to be general to effect the beneficial purpose herein set forth.

SECTION II. THE CHILDREN EMBRACED IN ACT

This act shall apply to any child less than eighteen years of age.

(a) Who violates any penal law or any municipal

ordinance, or who commits any act or offense for which he could be prosecuted in a method partaking of the nature of a criminal action or proceeding, or

(b) Who engages in any occupation, calling or exhibition, or is found in any place for permitting which an adult may be punished by law, or who so deports himself or is in such condition or surroundings or under such improper or insufficient guardianship or control as to endanger the morals, health, or general welfare of such child.

(c) Who comes within the provisions of any law for the education, care and protection of children.

(d) Whose custody is the subject of controversy in any suit.

The judge of any court in which there is pending any suit in which there is involved the question of the custody of any child shall refer and transfer by proper order said question of custody to the county court to be heard and determined by it.

Section III. Petition — How Filed

Any person having knowledge or information that a child is within the provisions of the preceding section may file with the county court in which such child is found a verified petition stating the facts that bring such child within said provisions. The petition may be upon information and belief. The title of the proceeding shall be, "County Court, County of ....., In the Matter of (inserting name) a Child under Eighteen Years of Age." The petition shall set forth the name and residence of the child and of the parents, if known to the petitioner,

and the name and residence of the person having the guardianship, custody, control and supervision of such child, if the same be known or ascertained by the petitioner, or the petition shall state that they are unknown, if that be the fact.

Section IV. Summons to Issue — When

Upon filing the petition, the court or a judge thereof may forthwith, or after first causing an investigation to be made by a probation officer or other person, cause a summons to be issued signed by one of the judges or the special clerk of said court, requiring the child to appear before the court and the parents, or the guardian, or the person having the custody, control, or supervision of the child, or the person with whom the child may be, to appear with the child, at a place and time stated in the summons, to show cause why the child should not be dealt with according to the provisions of this act.

Section V. Sheriff May Take Control of Child. When

If it appears from the petition that the child is embraced within subdivision (a) of Section 2, or is in such condition that the welfare of the child requires that its custody be immediately assumed, the court may indorse upon the summons a direction that the officer serving the same shall at once take said child into his custody.

Section VI. Service of Summons

Service of summons shall be made personally by delivering to and leaving with the person summoned

a true copy thereof. If it shall be made to appear, by affidavit, that reasonable but unsuccessful effort has been made to serve the summons personally upon the parties named herein, other than said child, the court or any judge thereof at any stage of the proceedings may make an order for substituted service of the summons or of a supplemental summons in the manner provided for substituted service of civil process in courts of record, and if such parties are without said county, service may be made by mail, by publication, or personally without the county in such manner and at such time before the hearing as in said order directed. It shall be sufficient to confer jurisdiction if service is effected at any time before the time fixed in the summons for the return thereof, but the court, if requested, shall not proceed with the hearing earlier than the third day after the date of the service. Proof of service shall be made substantially as in courts of record. Failure to serve summons upon any person other than said child shall not impair the jurisdiction of the court to proceed in cases arising under subdivision (a) of Section 2, provided that, for good cause shown, the court make an order dispensing with such service.

Section VII. Disobedience of Summons — Contempt

The summons shall be considered a mandate of the court, and wilful failure to obey its requirements shall subject any person guilty thereof to liability for punishment as for a criminal contempt.

Section VIII. Allowance to Sheriff

The sheriff shall serve or cause to be served all papers which are directed by the court to be served by him, and a suitable allowance shall be made by the board of supervisors for his actual disbursements in effecting such service; but all papers may be served by any person delegated by the court for that purpose. The expense incurred in making substituted service or service by publication or personally shall be a public charge.

Section IX. Hearing

Upon the return of the summons, or at the time set for the hearing, the court shall proceed to hear and determine the case. The court may conduct the examination of the witnesses without the assistance of counsel, and may take testimony and inquire into the habits, surroundings, condition and tendencies of said child to enable the court to render such order or judgment as shall best conserve the welfare of said child and carry out the objects of this act, and the court, if satisfied that the child is in need of the care, discipline and protection of the court may so adjudicate, and may, in addition, find said child to be in a state of delinquency or neglect and may further render such judgment and make such order or commitment according to the circumstances of the case as will best conserve the purposes of this act.

Section X. Decision of Court

The court may place the child in the care and control of a probation officer and may allow such child to remain

in its home subject to the visitation and control of the probation officer, to be returned to the court for further proceedings whenever such action may appear to the court to be necessary; or, the court may authorize the child to be placed in a suitable family home subject to the friendly supervision of the probation officer and the further order of the court; or, it may authorize the child to be boarded out in some suitable family home in such manner as may be provided by law, or arranged by voluntary contribution, or otherwise, until suitable provision may be made for the child in a home without such payment; or, the court may commit the child to any institution that may care for children within or without the county, incorporated under the laws of, or maintained by the State or any subdivision thereof.

Section XI. Intent of Act

It is the intention of this act that in all proceedings coming under its provisions the court shall proceed upon the theory that said child is the ward of the State, and is subject to the discipline and entitled to the protection which the court should give such child under the conditions disclosed in the case.

Section XII. Excluding General Public — Protecting Records

The court shall have power, upon the hearing of any case involving any child, to exclude the general public from the room wherein said hearing is held, admitting thereto only such persons as may have a direct interest in the case. The records of all cases may be withheld from

indiscriminate public inspection in the discretion of the court; but such records shall be open to inspection of such a child, his parents, or guardians at all times. The hearings may be conducted in the judge's chambers, or in such other room or apartment as the board of supervisors of the county may provide for such cases; and such cases shall not be heard in conjunction with the other business of the court.

Section XIII. Adjudication — No Disqualification of Child

No adjudication under the provisions of this act shall operate as a disqualification of the child for any office under any state or municipal civil service, and such child shall not be denominated a criminal by reason of any such adjudication, nor shall such adjudication be denominated a conviction.

Section XIV. Release of Child

Until the first hearing of the case by the court, the chief probation officer, or any assistant probation officer, or any other official duly authorized so to do by the court, may release the child upon its own recognizance, or upon the recognizance of the parent or person having the custody, control, or supervision of the child, to appear before the court at such time as may be therein fixed. Any child embraced in this act shall have the right now given by law to any person to give bond or other security for its appearance at the hearing.

Section XV. Arrest With or Without Warrant

Nothing in this act contained shall be construed as forbidding the arrest, with or without warrant, of any child, as now or hereafter may be provided by law, or as forbidding the issuing of warrants by magistrates, as provided by law. Whenever a child less than eighteen years of age is brought before a magistrate in any county, such magistrate shall transfer the case to the county court by an order directing that said child be taken forthwith to the detention home. Such magistrates may, however, by order admit such child to bail, or release said child in the custody of some suitable person as now provided by law, to appear before said county court at a time designated in the said order.

Section XVI. All Papers to be Transmitted to County Court

All papers and processes in the hands of such magistrate shall be forthwith transmitted to the county court, and shall become part of its records. The county court shall thereupon proceed to hear and dispose of such case in the same manner as if the proceeding had been instituted in said county court upon petition, as hereinbefore provided. In all cases the nature of the proceeding shall be explained to said child, and, if they appear, to the parents, custodian, or guardian. Between the time of the arrest of such child with or without warrant, and the appearance of said child before the county court, if not released, he shall be detained subject to the order of the court.

Section XVII. Discretion of Court with Reference to Criminal Law

The court may, in its discretion, in any case of a delinquent child brought before it as herein provided permit such child to be proceeded against in accordance with the laws that may be in force in this State governing the commission of crimes, and in such case the petition, if any, filed under this act shall be dismissed and the child shall be transferred to the court having jurisdiction of the offense.

Section XVIII. Appeals

An appeal may be taken (to the Court of Appeals) from any order of the court committing any child to an institution, or from any order changing the custody or guardianship of any child, within the time and in the manner provided by law or rule of court for appeals in equity cases; provided, that no such order shall be superseded, but the order of the court in such case shall stand until reversed or modified by the Court of Appeals; provided, further, that the pendency of an appeal shall not preclude or prevent the county court during the pendency of such an appeal at a subsequent hearing for cause shown to modify any order theretofore made, although the effect of any such modification may be to suspend the appeal. All appeals under this act to the Court of Appeals shall take precedence over all other business of the court.

Section XIX. Detention Home

The county judge may arrange with an incorporated society or association maintaining a suitable place of detention for children in said county, for the use thereof as a temporary detention home for children coming within the provisions of this act, and may enter an order which shall be effectual for that purpose; and a reasonable sum shall be appropriated by the board of supervisors of the county for the expenses incurred by said society or association for the care of such children. If, however, the county judge shall certify that a suitable arrangement for such use cannot be made, or continued, the board of supervisors of the county shall establish, equip and maintain a home for the temporary detention of such children separated entirely from any place of confinement of adults, to be called "The Detention Home," which shall be conducted as an agency of the county court for the purposes of this act, and, so far as possible, shall be furnished and carried on as a family home and school in charge of a superintendent and a matron who shall reside therein.

Section XX. Appointment of Superintendent and Matron

The county judge shall have authority to appoint said superintendent, matron and the other employees of said Detention Home in the same manner in which probation officers are appointed under this act, their salaries to be fixed and paid in the same manner as the salaries of probation officers. The county judge may appoint as such superintendent or matron one of the probation officers,

with or without additional salary. Suitable arrangements shall be made for the education of all children under detention and to that end the county judge is authorized and empowered to arrange with the Board of Education of the county or city in which such Detention Home is situated for the necessary teachers for said children. The necessary expenses incurred in maintaining said Detention Home shall be paid by the county. In no case shall any child coming within the provisions of this act and less than 16 years of age be detained in or committed to a jail, common lock-up, or other place where said child can come into contact at any time or in any manner with adults convicted or under arrest.

Section XXI. Coöperation of Societies and Other Organizations

The court is authorized to seek the coöperation of all societies or organizations, public or private, having for their object the protection or aid of delinquent or neglected children, to the end that the court may be assisted in every reasonable way to give to all of such children the care, protection, and assistance which will conserve the welfare of such children. And it is hereby made the duty of every county, town or municipal official or department, in said county, to render such assistance and coöperation within his or its jurisdictional power to further the objects of this act. All institutions, associations or other custodial agencies in which any child may be, coming within the provisions of this act, are hereby required to give such information to the court or any of

said officers appointed by it as said court or officers may require for the purposes of this act.

Section XXII. Appointment of Probation Officers

The county court shall appoint a probation officer to serve under the direction of the court in all cases arising under this act; such officer to be paid out of the funds of the county. The court may also appoint one or more deputy probation officers to be paid for their services out of the funds of the county.

Section XXIII. Volunteer Probation Officers

In addition, the court may appoint volunteer probation officers to serve without compensation subject to such regulations and directions as the court may deem proper.

Section XXIV. Appointment Only on Merit

All appointments of probation officers paid out of the funds of the county shall be made on the basis of merit only, determined by a public competitive examination, held by three examiners, appointed by the court and approved by the State Board of Charities. The examiners shall conduct the examination of all applicants and shall certify to the court for appointment to each position the names of the three highest (unless the number of applicants is less than three) from which the appointment shall be made.

Section XXV. Removal of Probation Officers

Any probation officer may be removed for cause by the judge of the court, the reasons therefor to be assigned in writing and forwarded to the State Board of Charities and Correction.

Section XXVI. Duties of Probation Officers

Whenever there is to be a child brought before the court under this act, it shall be the duty of the clerk of said court to notify the probation officer in advance. It shall be the duty of the probation officer to make such investigation of the child as may be required by the court; to be present in court at the hearings of all cases and to furnish to the court such information and assistance as the judge may require; to take charge of any child before and after hearing as may be directed by the court. Probation officers shall have all the powers of peace officers anywhere in the State for all purposes of this act. During the probationary period of any child and during the time that said child may be committed to any institution or to the care of any association or person for custodial or disciplinary purposes, said child shall always be subject to the friendly visitation of the probation officer or other agent of the court.

Section XXVII. Order Subject to Modification

Any final order or judgment made by the court in the case of any such child shall be subject to such modification from time to time as the court may consider to be for the welfare of such child. No commitment of any

child to any institution or other custodial agency shall deprive the court of the jurisdiction to change the form of the commitment or transfer the custody of said child to some other institution or agency on such conditions as the court may see fit to impose, the duty being constant upon the court to give to all children subject to its jurisdiction such oversight and control in the premises as will conduce to the welfare of said child and the best interests of the State. No order changing the form of commitment or transfer of custody of a child to some other institution or agency shall be made except upon ten days' written notice to the guardian, institution, or agency, to whose care such child has been committed, unless such guardian, institution, or agency consents thereto.

Section XXVIII. Commitment or Release of Girls

All girls embraced within the provisions of this act who shall be committed to or released from any institution shall be taken to and from such institution by a woman.

Section XXIX. Referee for Girls' and Other Cases

The county court may appoint one or more persons as probation officers to act as referee in the first instance to hear any cases coming within the provisions of this act and make report thereof together with said referee's conclusions and recommendations. If no exceptions be taken to said report and no review be asked thereof, such report and recommendations, if confirmed, shall become

the judgment of said court. A review of the conclusions and recommendations of said referee may be had by any child, the parent, guardian, or custodian of any child, by filing a petition for review thereof with said referee at any time within three days after the entry of the finding of said referee.

Section XXX. Salaries

The probation officer shall receive such salary as the county court may prescribe, not exceeding $3,000 per annum in counties of 300,000 inhabitants and less than 100,000 inhabitants. Deputy probation officers shall receive such salaries as may be prescribed by the county court, not exceeding $1200.00 per annum in counties of 300,000 and less than 100,000 inhabitants, and not exceeding $900.00 per annum in counties of less than 100,000 inhabitants.

Section XXXI. Payment of Custodial Care by Parent or Guardian

Whenever any child is found to be in such condition, surroundings or under such improper or insufficient guardianship as to lead the court, in its discretion, to take the custody of said child away from its parents and place it in some institution or under some other custodial agency, the court may, after issuing and service of an order to show cause upon the parents or other person having the duty under the law to support said child, adjudge that the expense of caring for said child by said custodial agency or institution as fixed by the court shall be paid

by the person or persons bound by law to support said child. In such event such person or persons shall be liable to pay to such custodial agency or institution and in such manner as the court may direct the money so adjudged to be payable by him or them. Wilful failure to pay said sum may be punished as a contempt of court and the order of the court for the payment of said money may be also enforced as money judgments of courts of record are enforced.

Section XXXII. Medical Care of Children

Whenever a child within the jurisdiction of said court and under the provisions of this act appears to the court to be in need of medical care, a suitable order may be made for the treatment of such child in a hospital, and the expense thereof shall be a county charge. For that purpose the court may cause any such child to be examined by any health officer within the jurisdiction of the court, or by any duly licensed physician. The county may recover the said expense in a suitable action from the person or persons liable for the furnishing of necessaries for said child.

Section XXXIII. Return of Child to Parent

Whenever it shall appear to the court, in the case of any child who has been taken from its home or the custody of its parents, that conditions have so changed that it is consistent with the public good and the welfare of said child that the parents again have the custody of said child, the court may make a suitable order in the premises.

Section XXXIV. Religious Belief of Parents Regarded

In committing any child to any custodial agency or placing it under any guardianship other than that of its natural guardians, the court shall, as far as practicable, select as the custodial agency some individual holding the same religious belief as the parents of said child, or, in the case of private institutions or associations, some institution or association governed by persons of like religious faith.

Section XXXV. Appointment of Guardian

Whenever, in the course of a proceeding instituted under this act, it shall appear to the said court that the welfare of said child will be promoted by the appointment of an individual as general guardian of his property, and of his person, when such child is not committed to any institution or to the custody of any incorporated society, the court shall have jurisdiction to make such appointment either upon the application of the child or some relative or friend, or upon the court's own motion. In that event an order to show cause may be made by the court to be served upon the parent or parents of said child in such manner and for such time prior to the hearing as the court may deem reasonable. In any case arising under this act, the court may determine as between parents whether the father or mother shall have the custody, tuition and direction of said child.

Section XXXVI. Restitution

If in adjudging a child to be delinquent, the court shall find as an element of such delinquency that such child has committed an act involving liability in a civil suit the court may require that such child shall make restitution or reparation to the injured person to such an extent, in such a sum and upon such conditions as the court shall determine.

Section XXXVII. Punishment of Adult

Whenever in the course of any proceedings instituted under this act, it shall appear to the said court that a parent, guardian, or person having the custody, control, or supervision of any delinquent or neglected child as defined by the statutes of this State, or any other person has knowingly or wilfully encouraged, aided, caused, abetted, or connived at such state of delinquency or neglect, or has knowingly or wilfully done any act or acts to directly produce, promote or contribute to the conditions which render such a child delinquent or neglected, the court shall have jurisdiction in such matters and shall cause such parent, guardian, or other person, as the case may be, to be brought before it upon either a summons or a warrant for such order in the premises as the court may see fit to make. The court shall have full power to hear and determine said matter against such parent, guardian, or other person in the manner provided by law for the trial of misdemeanors and upon conviction such parent, guardian, or other person may be punished as provided by law in cases of misdemeanor; provided, however, that

for the purpose of enforcing its judgment the court may, in its discretion, continue the proceeding against such parent, guardian, or other person from time to time and release such parent, guardian or other person on probation. The court may, further, in its discretion, as part of the judgment require such person to enter into a bond with or without surety in such sums as the court may direct to comply with the orders of the court.

Section XXXVIII. Advisory Board

The judge of each county court may appoint a board of not less than six, nor more than ten reputable inhabitants, of which number one-half shall be men and one-half women, who shall serve without compensation or salary of any kind whatsoever, to be called the Advisory Board of the County Court, Juvenile Session. The members of said board shall hold office during the pleasure of the court. The duties of said board shall be as follows:

(a) To visit as often as twice a year all institutions, societies or associations receiving children under this act. Such visits shall be made by not less than two of the members of said board, who shall go together and make a report, and said board shall report to the county court from time to time the condition of the children received by or in charge of any persons, institutions or associations, and shall make an annual report to the judge of the county court.

(b) To advise and coöperate with the judge of the county court upon all matters affecting the workings of this act, and to recommend to the court any and all need-

ful measures for the purpose of carrying out the provisions of this act.

Section XXXIX. Rules and Regulations

The court shall have power to devise and publish rules and regulate the procedure for cases coming within the provisions of this act, and for the conduct of all probation and other officers of the court, and such rules shall be enforced and construed beneficially for the remedial purposes embraced herein. The court may devise and cause to be printed for public use such forms for records and for the various petitions, orders, processes and other papers and reports connected with cases coming within the provisions of this act. All expenses incurred by the court in complying with the provisions of this act shall be paid out of county funds.

Section XL

All provisions of law inconsistent with or repugnant to this act shall be considered inapplicable to the cases arising under this act.

Suggested Act for Contributing to Delinquency or Neglect

AN ACT to Provide for the Punishment of Persons Responsible for, or Directly Promoting or Contributing to the Conditions that Render a Child Neglected or Delinquent

Be it Enacted by the General Assembly of the Commonwealth:

Section 1. Any parent or parents, or legal guardian,

or person having the custody of any neglected or delinquent child, as defined by the statutes of this State, or any other person who shall knowingly or wilfully encourage, aid, cause, abet or connive at such state of neglect or delinquency, or shall knowingly or wilfully do any act or acts that directly produce, promote or contribute to the conditions which render such child a neglected or delinquent child, as so defined, or who wilfully neglect to do that which will directly tend to prevent such state of neglect or delinquency, or conditions that make such, as aforesaid, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not more than one hundred ($100.00) dollars, or by imprisonment in the county jail or workhouse for not more than fifty days, or both by such fine and imprisonment. Provided, that, instead of imposing the punishment hereinbefore provided, the court shall have the power to enter an order suspending sentence and releasing the defendant from custody on probation, for the space of one year, upon his or her entering into a recognizance, with or without sureties, in such sums as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within a year, and shall provide and care for such neglected or delinquent child in such manner as to prevent a continuance or repetition of such state of neglect or delinquency or as otherwise may be directed by the court, and shall further comply with the terms of such order, then the recognizance shall be void, otherwise it shall remain in full force and effect. If the court be satisfied

by information or due proof, under oath, that at any time during the year the defendant has violated the terms of such order, it may forthwith revoke such order and sentence him or her under the original conviction. Unless so sentenced, the defendant shall, at the end of such year, be discharged and such conviction shall become void.

SEC. 2. In trials under this Act, the person proceeded against shall have the right to a trial by jury which shall be granted as in other cases, unless waived. If the finding of the jury be against the person tried their verdict shall so state, in which event the court, in its discretion, may enter such judgment as to it seems needful in the premises.

SEC. 3. The Juvenile Courts of the several counties of the State shall have exclusive jurisdiction of all cases coming within the provisions of this Act.

SEC. 4. This Act shall be liberally construed in favor of the State for the purpose of the protection of the child from neglect, or omission of parental duty toward the child by its parents, and further to protect the child from the effects of the improper conduct or acts of any person which may cause, encourage or contribute to the neglect or delinquency of such child, although such person is in no way related to such child.

SEC. 5. If any section of this Act shall be held to be invalid such fact shall not affect any other section of this Act, it being the intention of the General Assembly in enacting this Act to enact each section separately; and if any proviso or exception contained in any section of this act shall be held to be invalid such fact shall not affect the remaining portion of said section, it being the inten-

tion of the General Assembly to enact each section of this Act and each proviso and exception thereto separate.

RULES OF COURT GOVERNING THE PLACE OF DETENTION

RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE JUVENILE DETENTION HOME OF .....

PREAMBLE

IT IS DESIRED THAT THE JUVENILE DETENTION HOME HAVE AS MUCH AS POSSIBLE THE APPEARANCE AND ATMOSPHERE OF A FAMILY HOME. TO THIS END, ALL EMPLOYEES ARE EXPECTED AND REQUIRED TO BE KIND, PATIENT AND HELPFUL TO THE CHILDREN

DIVISION I. GENERAL DUTIES OF EMPLOYEES

1. *Duties of Superintendent.* The superintendent, subject to supervision by the judge of the Children's Court, shall be the administrative head of the Juvenile Detention Home; and shall be responsible for the custody and care of all children admitted to the Home, and for its proper administration. She shall reside in the Home and shall have no other business or profession. She shall direct the work of its other employees, except the house physician, and shall report to the judge concerning any negligence, incompetency or misconduct on the part of any such employee. She shall keep records of all children admitted to the Home, and complete accounts of all receipts and expenditures. She shall make an annual report to the judge for the year ending ....., and on or before the first day of February of each year she

shall file with the judge a statement of the appropriations needed by the Home for the ensuing fiscal year. She shall also perform such other duties as are required by these rules and regulations, or as may be ordered by the judge.

2. *Duties of house physician.* The house physician shall visit the Home daily and make a thorough physical examination of each child as soon as possible after its admission to the Home. He shall have direct charge of all sick children (except as provided in Rule II), and may require special diets when necessary. He is hereby authorized to require, when necessary, the assistance of any employee of the Home or of a nurse in caring for sick children. He shall from time to time inspect the sanitary condition of the Home, and make recommendations concerning the same to the judge and the superintendent. He shall make an annual report to the judge.

3. *Duties of other employees.* All other employees shall obey whatever orders or instructions may be given by the superintendent, and shall observe all the provisions of these rules and regulations. Unless otherwise permitted by the judge, they shall devote their entire time to the work of the Home and shall engage in no other business or profession. They shall at all times set a good example to the children in regard to personal appearance, language, habits and conduct.

4. *Duties of volunteer assistants.* No volunteer assistant shall be permitted to assist in the supervision, education, or entertainment of children or in the work of the Home, except upon the consent of the judge. All such volunteer assistants shall respect the directions of the

superintendent, and the provisions of these rules and regulations.

5. *Vacations, and hours off.* The superintendent and if practicable each other employee shall have a vacation of two weeks each year. Each employee shall each week have at least one-half day's leave of absence at such time as shall be determined by the superintendent.

DIVISION II. ADMISSION OF AND CARE OF CHILDREN

6. *Admission of children.* The Home shall be open at all hours of the day and night for the reception of children actually or apparently under 18 years of age (not infants in arms) under arrest or found in public places while lost. All police officers or other persons bringing children to the Home shall be required to fill out a certificate of admission which shall be kept by the superintendent as her warrant for detaining such children. Any child brought to the home and found to be 18 years old or over shall be at once reported or taken to the nearest police precinct station.

7. *Records.* The superintendent shall keep in an Admission Index a record of each child brought to the Home, and such other records concerning each such child as the judge may require. She shall report to the judge at or before the next session of the Children's Court concerning all children brought to the Home, and shall also report as soon as possible to the chief probation officer concerning all such children except lost children.

8. *Notification of parents.* As soon as possible after the admission of each child into the Home, the superintendent shall ascertain the child's correct name and ad-

dress. Unless the superintendent has reliable knowledge that a parent or guardian or other person acting in parental capacity to such child, is already aware of the child's admission to the Home, she shall at once notify such parent, guardian or other person of the child's admission, and as to the cause, and when the child is to be brought before the Court. Such notification shall be sent by mail, and if such parent, guardian or other person is in ....., also by a messenger or telephone.

9. *Bathing and cleanliness.* Each child as soon as possible after being received into the Home shall be bathed, and its head shall be examined and disinfected. No child's hair shall be cut except on consent of a parent of the child or order of the judge. Each child shall be given a bath at least weekly. Each child shall have the use of individual towels, soap and toothbrush. Care shall be taken to insure that no linens used by any child having a contagious or infectious disease shall come into contact with the other children or with the linen used by them.

10. *Clothing.* Before being allowed to mingle with other children, each child shall be provided with clean clothes and a pair of slippers to be worn during its stay. All clothing worn by each child at the time of its admission shall be fumigated, or, upon order of the judge, destroyed.

11. *Physical examination and medical care.* The superintendent upon receiving each child into the Home shall seek to ascertain whether it is suffering from any disease, and if it appears to be, she shall isolate the child and at once notify the house physician. As soon as possible within the first twenty-four hours after being admitted to the Home, each child, not a lost child, shall be

given a thorough physical examination by the house physician, who shall make a written report of his findings to the judge. If any child is taken ill during its stay in the Home, the superintendent shall at once notify the house physician. Upon filing a written certificate with the superintendent, the house physician may order any sick child to be taken to a specialist or hospital for treatment. Upon special request and upon guarantee that it will not impose any expense on the Home, a child may be attended by its own physician, provided that no such physician shall have authority to remove such a child from the Home without permission from the house physician. All drugs and medicines, when not in use, shall be kept locked. No medicine shall be given to any child, except on order or consent of the house physician.

12. *Segregation and supervision.* All children shall be segregated by sex, and, so far as practicable, by age. No child known or believed to be vicious or immoral or to have frequented disorderly or questionable resorts shall be permitted to associate with younger children or those not depraved or immoral. Children committed to the Home on court order shall also be segregated so far as practicable from other children. The superintendent shall endeavor to have all children supervised by an adult at all times.

13. *Sleeping accommodations.* Each child shall sleep in a separate bed which shall be no nearer than three feet to any other bed. Each child when admitted to the Home shall be given clean sheets, a clean pillow case, and a clean nightgown, which shall be changed at least weekly thereafter during its stay. The clothes worn by each child

during the day shall be placed by the superintendent or an assistant where the child cannot reach them during the night. All children must be in bed by 8:30 P. M. in the summer, and 7:30 P. M. in the winter.

14. *Meals.* The superintendent shall provide an economical, wholesome and nourishing dietary which she shall submit from time to time to the house physician for approval. She shall also adopt a schedule of meal hours, adapted to the season, and all meals shall be served promptly on time. So far as practicable, boys and girls shall eat separately. The superintendent or some other employee designated by her shall count all knives, forks and spoons used at each meal, and shall account for the same before the children leave the dining-room.

15. *Instruction and occupation.* The superintendent shall endeavor to keep the children occupied during the major part of the day. She may require the older children to assist with the housework, and shall aim to make such work educational. She shall seek to secure from time to time the assistance of teachers or other persons to instruct the children in letters, music, manual work or other subjects.

16. *Recreation.* All children shall have at least one hour daily for physical recreation and exercise, which so far as possible shall be in the open air. The superintendent shall furnish the children with proper reading matter and games and other forms of entertainment.

17. *Property of children.* Each child upon being received into the Home shall surrender his or her possessions which shall be placed in an envelope or package. Such envelope or package shall be properly labeled with

the name of the child, and shall be returned to the child on leaving the Home.

18. *Gifts to children.* All food, clothing or other articles left at or sent to the Home for any child shall be inspected by the superintendent to insure that they contain no tobacco, knives, pins, metal or other things undesirable or dangerous for the child to have. The superintendent may use her discretion in permitting gifts to be delivered to the children.

19. *Letters, telephone and newspapers.* All letters or other communications sent to any child in the Home shall be read by the superintendent before being delivered to such child. Each child may write and mail, at the expense of the Home, at least one letter within the first twenty-four hours after its admission; at least one letter weekly thereafter, and such other letters as the superintendent may permit, provided that no such letter shall be mailed or otherwise sent until read and approved by the superintendent. No child shall be permitted to use the telephone, except on special permission by the superintendent. No child while in the Home shall be permitted to read any newspaper account of its arrest or court hearing, or that of any other child in the Home. The superintendent shall allow no child to read any newspaper until first inspected by the superintendent.

20. *Visitors.* Members of the family of any child in the Home or its clergyman or attorney, unless otherwise forbidden by the judge, shall be allowed to visit such child on any week-day between the hours of 10 A. M. and 4 P. M. Other persons shall not be allowed to visit any particular child, except on special permission from the

judge, the chief probation officer or the superintendent. No child under sixteen years of age shall be permitted to visit an inmate, unless it is a brother or sister of such inmate. Visitors desiring to interview particular children shall have such interviews in a room where no other children are present, and the superintendent may limit the time of such interviews. The superintendent or some other employee, so far as practicable, shall be present during all such interviews, and shall allow no improper conversation, or, without special permission, no articles to be given to the child. All visitors desiring to inspect the Home shall be accompanied through the building by the superintendent or some other employee. Once each year, the superintendent shall invite the mayor, the commissioner of public safety, the superintendent of police, the superintendent of public education, and such other officials and citizens as may be designated by the judge, to inspect the Home. All visitors shall be required by the superintendent to sign their names in a register.

21. *Publicity and photographs.* No employee shall furnish any information in regard to any child in the Home to any person except its parents or relatives or the proper public officials, without special permission from the judge or chief probation officer. No employee shall show, loan or surrender any records, documents or other papers, belonging to the court or probation officers and pertaining to a particular child, to any person not a proper officer of the law, except on special permission from the judge or chief probation officer. No employee shall make to any visitor any disparaging remark, sign or gesture concern-

ing any particular child. No child in the Home shall be photographed without the written permission of the judge. No employee shall give any information to any newspaper representative concerning any particular child in the Home or concerning the treatment of the children or the administration of the Home without the permission of the judge.

22. *Discipline.* Any child who is unruly, destructive to property, or who otherwise seriously misbehaves in the Home, may be confined by the superintendent in a separate room and be deprived of certain privileges. If such discipline is not effective, the superintendent shall within twenty-four hours report the facts to the judge. All employees are forbidden to use any corporal force or violence toward any child unless imperative as a measure of self-defense.

23. *Permission to leave the Home temporarily.* No child, unless accompanied by the superintendent, a probation officer or other employee of the Home, shall be permitted to leave the Home or the yard connected therewith temporarily, without special permission from the judge.

DIVISION III. ADMINISTRATION OF THE HOME

24. *Order and cleanliness of Home.* The superintendent shall see that the Home is kept orderly and clean throughout all its parts.

25. *Heating and ventilation.* Each room shall be kept properly ventilated at all times, and so far as practicable fresh air shall be admitted to the living and sleeping quarters at all hours. Rooms where the children are

kept shall be heated to a temperature of at least 65 degrees and not more than 75 degrees Fahrenheit during the winter.

26. *Lights.* A light shall be kept burning in the front office, in the girls' sleeping quarters or an adjoining room, and in the boys' sleeping quarters or an adjoining room, all night. The superintendent shall keep an adequate number of kerosene lamps ready for use in case of emergency.

27. *Prevention of fire, and fire escapes.* No rubbish shall be allowed to accumulate in the basement or in any part of the Home. Ashes shall be kept only in metal receptacles. Matches, oil, and other combustibles shall be kept out of the reach of the children. All fire extinguishers shall be kept in proper working order. The superintendent shall annually request the chief of the fire department to inspect the Home and to make recommendations for fire protection. Each employee shall have on his or her person at all times a key to the fire escapes and the other avenues of egress in case of fire.

28. *Supervision of doors and windows.* The superintendent or some one designated by her, shall each day examine all screens, bars, doors and windows as to their proper condition. She shall keep a record of all keys owned by the Home, to whom they are entrusted, and when given out or returned to her custody. She shall not entrust a door key to any child.

29. *Care of property of Home.* The superintendent shall make an annual inventory of all property belonging to the Home, and shall see that it is properly protected and cared for. She shall mark all linen and articles of

clothing belonging to the Home with indelible ink. She shall not give away, sell or destroy any property of the Home without permission from the judge.

30. *Purchase of supplies.* All furniture, other equipment, supplies and ordinary services necessary for the Home shall be ordered from the proper authorities on requisition by the superintendent, and she shall keep a record of all such requisitions. No article of furniture or permanent equipment costing more than five dollars shall be ordered by her, without the consent of the judge.

31. *Repairs.* The superintendent shall report to the judge concerning all needed repairs, alterations or additions to the building, or needed repairs to the furniture or other equipment. She shall order such repairs, alterations or additions as may be approved by the judge, except that in case of emergency she may order necessary repairs without waiting for the approval of the judge. She shall see that any writing on the walls or other defacement of the property is promptly erased or repaired.

32. *Expenses and accounts.* The superintendent shall administer the Home with as great a degree of economy as is consistent with the welfare of the children. She shall keep a complete and accurate account of all expenditures charged against the appropriations of the Home. Her accounts shall show the expenditures for salaries, wages of regular employees, extra help, heat, lights, meals, drugs and medicines, and such other items as may be required by the judge. All bills shall be submitted to the judge for audit before being sent to the city treasurer for payment.

33. *Donations to the Home.* The superintendent shall keep a list of all donations to the Home. No employee shall solicit donations of any kind for the Home or for the children without the consent of the judge.

34. *Presents to employees.* No employee shall accept any money or other gift from any child in the Home, or any relative or friend of such child, without the consent of the judge.

35. *Liquor and tobacco.* No spiritous or intoxicating liquor of any kind shall be brought into the Home except upon the direction of the house physician for medical purposes. No employee shall drink any spiritous or intoxicating liquors while in the employment of the Home. No employee shall use tobacco while in the Home.

36. *Complaints.* Any employee having any complaint concerning the administration of the Home or the care or treatment of the children shall report the same to the superintendent, and the superintendent shall report all complaints coming to her attention to the judge.

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37. A copy of these rules shall be kept by the superintendent in a place easily accessible to all employees, and she shall direct all employees to read and observe them.

38. Any of these rules may at any time be amended, suspended or canceled by the judge.

Adopted this ..... day of ....., 19.., to take effect immediately.

.....
Judge.

ATTEST:

.....
Clerk.

.....

RULES OF COURT FOR THE GOVERNMENT AND ADMINISTRATION OF THE PROBATION OFFICE

I. The probation office shall be open daily from 8:00 A. M. to 6:00 P. M., except on Saturday, when it shall close at 1:00 P. M. It shall also be open for the reports of working boys at least two evenings a week. It shall be closed only on public holidays on which the public schools also close.

II. Each probation officer shall be required to devote at least 8 hours a day to the work of the court, with a half day on Saturday. Each probation officer, after 6 months' service in the office, is entitled to 3 weeks' vacation annually.

III. The chief probation officer shall make the regulations for the conduct of the probation office and the specialization of work of the various officers. In his absence from the city at any time, or in the event of inability to perform his duties, he may appoint, with the approval of the judge of the juvenile court, an acting chief probation officer from among his associates.

IV. All investigations for the court shall be made through the probation office, and each investigation shall include an examination of the child and his or her environment. The direct examinations of girls shall be handled only by women officers. Physical examinations may be made with the consent of parents of the child, but such examinations shall be made only by a duly authorized physician, acting under the direction of the chief probation officer.

V. Probation officers may file petitions in cases complained of to the office, and in which the officers have sufficient knowledge of the circumstances to warrant a petition. All such petitions, however, shall be approved by the chief probation officer before going to the clerk. Probation officers shall be present in Court in all cases for which they file petitions.

VI. Probation officers may carry concealed a badge or " star " as provided, in the performance of their duties.

VII. The chief probation officer shall make a monthly report to the Court of the disposition of all cases before the Court; of the number of children in charge of the probation officers, and of the number of the Court's wards in institutions.

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